

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, January 3, 1979

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David Sayre
Commissioner Larry Millison
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

The meeting was called to order at 8:45 a.m.

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of December 20, 1978 were read. Commissioner Dean moved, seconded by Commissioner Millison, to approve the minutes as read. 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 Aud moved, seconded by Commissioner Millison, to approve payment of the bills, as submitted. All Commissioners voted in favor.

FY 79-80 BUDGET CALENDAR

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell submitted the Fiscal Year 1979-1980 Budget Calendar for the Commissioners' review and approval. After review, Commissioner Aud moved, seconded by Commissioner Millison, to approve said Budget Calendar. All Commissioners voted in favor.

BUDGET LETTER TO DEPARTMENT HEADS

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell presented and reviewed with the Commissioners the letter of transmittal to Department Heads relative to the FY 79-80 Budget Package. After review, the Commissioners agreed to sign and forward said letter.

REQUEST FOR AUTHORITY TO HIRE
FISCAL CLERK - OFFICE OF PUBLIC HOUSING

Inasmuch as the position of Fiscal Clerk I, Grade 6 in the Office of Public Housing was advertised and interviews conducted, the Personnel Officer forwarded a memorandum to the Commissioners stating that it was the supervisor's recommendation to hire Debra Gaskill in this position. Therefore, Commissioner Millison moved, seconded by Commissioner Dean, to hire Debra Gaskill to fill the position of Fiscal Clerk I, Grade 6, in the Office of Public Housing, effective January 4, 1979. All Commissioners voted in favor.

SOUTHERN MARYLAND HEALTH SYSTEMS AGENCY

The County Administrator advised the Commissioners that Dr. Jarboe has been the Commissioner representative on the Governing Board of Southern Maryland Health Systems Agency and inasmuch as Dr. Jarboe is no longer Commissioner, a replacement is needed. Therefore, Commissioner Millison nominated Commissioner George Aud to serve as St. Mary's County's Commissioner representative on the SMHSA. Commissioner Dean seconded the motion. Four Commissioners voted in favor with Commissioner Aud abstaining.

PERSONNEL BUDGETARY DECISIONS

STATE'S ATTORNEY AND JUDGE OF CIRCUIT COURT

The County Administrator advised the Commissioners that a policy decision by State's Attorney and Judge of Circuit Court. Mr. Cox recommended that the approach be taken that as long as expenditures do not exceed budgeted amount, incoming elected officials could make certain personnel decisions without approval by the Board of County Commissioners. The Commissioners gave their concurrence to this procedure.

INDUSTRIAL SITE PLAN NO. 77-108

ST. MARY'S INDUSTRIAL PARK - LOT 14

Present: Larry Day, surveyor
Frank Gerred, Director, Land Use and Development

The Commissioners reviewed the revised industrial site plan for Lot 14 of St. Mary's Industrial Park which is the proposed location for Bates and Associates office space. Mr. Day explained that the site plan, which was originally approved by the Commissioners February 8, 1979, was being represented because the building was not constructed in accordance with the original plans and therefore needed reapproval by the Board. In addition, the revised plan called for the elimination of the loading dock.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve Site Plan No. 77-108 for Lot 14 of St. Mary's Industrial Park, with the wavier of the loading dock. All Commissioners voted in favor.

SUPPLEMENTAL AGREEMENT - CEDAR COVE

Present: Jim Kenney, Attorney
Dorsey Hughes, Cedar Cove
Al Bingman, NAS, Public Works
Frank Gerred, Director, Land Use and Development
Joseph E. Bell, County Attorney

Mr. Kenney reviewed with the Commissioners what has taken place to date regarding the Supplemental Agreement for Cedar Cove, stating that the Agreement was designed to deal with future acquisition of the development rights in the site and a plan whereby the developer could proceed with the development at this time. Mr. Kenney stated that by previous resolution, the County has recognized the vested rights of the developer; however, the

developer is aware of the County's concern for the Navy's opposition for development within the AICUZ.

In addition, Mr. Kenney stated that the supplemental agreement would permit the developer to relocate already approved housing within the development further from the border of the Naval Air Station.

At this point the Commissioners reviewed the concept plan for Cedar Cove that was done for the original development plan.

Mr. Gerred stated that there appeared to be three different issues:

1. The possibility of acquisition of certain lots within the AICUZ by the Navy;
2. This Agreement would allow the developer to move the density from one zone to another and bring the plan into conformity with the present AICUZ Regulations;
3. And, because of the upcoming new AICUZ study, the County should reserve some judgment for the results of the new study.

Commissioner Millison indicated that the Navy has gone on record in opposition of this project and any development within the AICUZ and this would have to be taken into consideration at the time the Commissioners render a decision with regard to the Supplemental Development Agreement.

The Commissioners advised Mr. Kenney that they would take this matter under advisement.

TRI-COUNTY COUNCIL SUBCOMMITTEE ON PARKS

Present: Bernard Fowler
Clara Woody
John William Quade

The above referenced members of the Tri-County Council Sub-Committee on Parks appeared before the Commissioners to discuss the overall park situation in Southern Maryland and Ms. Woody presented a Regional Land Inventory of land controlled by Maryland Department of Natural Resources which sets forth the programs of the various parks and future plans for land acquisition and programs. In addition, Ms. Woody presented a Summary Sheet of land facilities and demand of parks from current to 1990 in the Southern Maryland area.

Mr. Fowler stated that input was requested by the elected officials of the tri-county area as to the proposed plan and what the Commissioners feel is needed in St. Mary's County.

During discussion, the Commissioners advised that they would prefer not to take any more land off the tax rolls and requested Ms. Woody to look into the proposed acquisition of land by the State for St. Mary's River Park and Point Lookout State Park to determine its effect on the

projects. Ms. Woody will furnish this information to the Commissioners within the next two weeks.

ENVIRONMENTAL PROTECTION OF PATUXENT RIVER

Present: Commissioner Bernard Fowler, Calvert County

Mr. Fowler advised the Commissioners that because of the proposed relocation of the point of discharge for the Savage Treatment Plant down river on the Patuxent River, Calvert County Commissioners have prepared a Resolution expressing their environmental concerns and requesting an Environmental Impact Statement, and Mr. Fowler inquired if St. Mary's County wished to prepare a similar Resolution.

Later in the meeting, Commissioner Dean moved, seconded by Commissioner Millison, that St. Mary's County prepare a letter expressing St. Mary's County's sentiments and concerns relative to the environmental protection of the Patuxent River. All Commissioners voted in favor.

RESOLUTION NO. 79-01

LIMITED NUMBER OF EMPLOYEES

Commissioner Millison moved, seconded by Commissioner Arnold, to adopt and sign Resolution No. 79-01, "Limited Number of Employees," which limits any increase in the number of county government employees to the proportionate percentage increase in the number of citizens, with certain clarifications as set forth in the resolution. All Commissioners voted in favor.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Sunny Schust, Enterprise
Ingrid Buehler, Beacon
Florence Ballangee, Beacon
Dave Fox, WKIK

The regular monthly press conference was held at this time. A tape of the conference is on file in the Commissioners' Office.

PUBLIC HEARING

PROPOSED REVISIONS TO ST. MARY'S COUNTY

SEDIMENTATION CONTROL ORDINANCE

Present: Dan Ichniowski, Highway Engineer
Claude Jarboe, Taxpayers Association
James Mattingly

At this time the Commissioners conducted a public hearing on the proposed revisions to the St. Mary's County Sedimentation Control Ordinance.

Mr. Jarboe and Mr. Mattingly expressed support of the proposed revisions.

Commissioner Aud inquired if anyone else wished to speak for or against the proposed Ordinance; hearing none, the public hearing was closed. It was noted that the record will remain open an additional ten days in order to receive any further comments in writing.

RESOLUTION NO. 79-02
ASSESSMENT PROCESS REVIEW

Commissioner Arnold moved, seconded by Commissioner Sayre, to adopt and sign Resolution No. 79-02, "Assessment Process Review," requesting the Maryland General Assembly to establish an appropriate Legislative Subcommittee to conduct a full study of the assessment process in the State of Maryland. All Commissioners voted in favor.

PUBLIC WORKS ADDENDUM
QUIET ACRES SUBDIVISION, SECTION I

On behalf of the County Engineer, the County Administrator presented a Public Works Addendum by and between Jennes C. Nelson, Jr. and the County Commissioners of St. Mary's County, extending the deadline for completion of streets and roads in Quiet Acres Subdivision, Section I, to January 10, 1980, with bond by Certificate of Deposit No. 05-25-250054903 with the Maryland Federal Savings and Loan Association.

Commissioner Dean moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign said Public Works Addendum. All Commissioners voted in favor.

BONDING FOR COUNTY TREASURER

The County Administrator presented two bonds each in the amount of \$100,000 with Continental Insurance Company for County Treasurer, Kay D'Esposito. Commissioner Millison moved, seconded by Commissioner Sayre, to approve and sign said Bonds. All Commissioners voted in favor.

MT. ZION CHURCH ROAD
ROAD PROBLEM AND REQUEST FOR COMMUNITY PARK

Present: Henderson Spence
John Baggett, Director, Recreation and Parks

Mr. Spence appeared before the Commissioners to explain the poor condition and narrowness of Mt. Zion Church Road in the First Election District and requested the County to make the necessary improvements. He stated that all property owners on the road were willing to give the necessary easements. After discussion, the Commissioners directed Mr. Spence to contact the County Engineer for a determination as to what improvements could be done.

In addition, Mr. Spence stated that a neighborhood park was needed in this area in that there was no place for the children of the area to play. The Commissioners directed Mr. Baggett to contact the minister of the Mt. Zion Methodist Church, First District, regarding property owned by the Church and advise the Commissioners of the results.

AIRPORT COMMITTEE

Present: F. Elliott Burch, Sr.
George Sullivan

The Commissioners agreed to meet in Executive Session with the referenced members of the Airport Committee to discuss a matter of personnel. The Session was held from 2:25 p.m. to 2:50 p.m.

REQUEST FOR DISMISSAL OF APPEAL BY COUNTY
ZONING AMENDMENT NO. 76-5 - GUYTHER AND GILLAM
(ADJACENT TO INDIAN CREEK SUBDIVISION)

Present: Oliver Guyther, applicant
Robin Guyther
Frank Gerred, Director, Land Use and Development
Ray Labross, resident of Indian Creek
Ann Trentman, " " " "
Jim Schubridge, " " " "

(Commissioner Millison did not participate in the following discussion.)

Continuing discussion from the Commissioners' December 20, 1978 meeting with Mr. Guyther relative to his request for the County to dismiss their appeal of the court's decision on the referenced matter, Commissioner Dean reviewed the history of the matter. He stated that one of the major difficulties he had in the approval of this case was that the developer proposed to have AR-2 zoning changed to C-2 to establish a 29-acre shopping center in the back of existing homes in Indian Creek Estates. He stated that it was the burden of the applicant to prove change or mistake. The developer had contended that there was a change in the neighborhood due to increase in population in the northern end of the County and that he was of the opinion that this was insufficient evidence to change classification. Commissioner Dean further stated that the developer attempted to compare the Easy Wash Zoning Amendment Case which had been approved by the County which Commissioner Dean stated there were significant differences in the two cases; specifically, that the Easy Wash case would not impact residential development in addition to the fact that the zoning request was from C-1 to C-2.

Commissioner Dean continued, stating that the proposal submitted by Mr. Guyther on December 20, 1978 addressed one of his concerns by scaling down the commercial portion of the property and by proposing to develop residentially the land between Indian Creek and the proposed shopping center. However, the Judge's decision has zoned the entire 29 acres C-2 commercial and if the appeal is withdrawn the parcel is C-2 and there is no guarantee that the property will be developed according to the proposal presented.

Therefore, in order to assure that development would occur according to the proposal, Commissioner Dean suggested that Mr. Guyther make application to have the property rezoned PUD which would have the requirement of the adoption of the Development Plan and that would be binding on the land and binding on the present and future owners.

As an alternative suggestion, Mr. Gerred, with Mr. Guyther's concurrence, recommended a covenant on the Deed of the property which would be binding on the land when recorded.

At this point, several of the residents of Indian Creek spoke of their concerns with having a shopping center at that location. Specific concerns expressed were: spray irrigation, proposed buffer strip, sewage disposal and amenities which had been agreed to under previous resolution.

After lengthy discussion, Commissioner Dean moved, seconded by Commissioner Aud, that the Commissioners withdraw the appeal pending in this case provided that a legal instrument, acceptable to Mr. Guyther, Director of Land Use and Development, County Attorney, and Commissioner Dean, can be arrived at that will restrict the southern end of the subject property, between office area and townhouses from commercial development. All Commissioners present voted in favor.

DRAINAGE PROBLEM - ESSEX SOUTH SUBDIVISION, SECTION III

Present: David Damazo, owner of seven lots
Dan Ichniowski, Highway Engineer

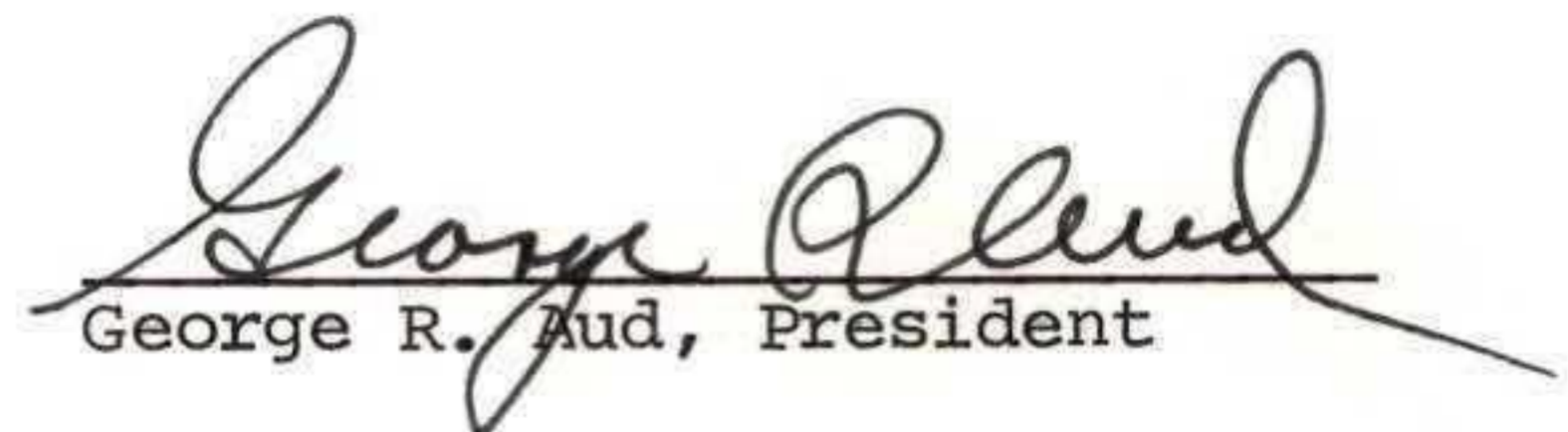
Mr. Damazo appeared before the Commissioners to discuss the drainage situation at Essex South Subdivision giving the history of the matter and the fact that there is a moratorium on building permits for construction of dwellings on the property in question. There are presently two suits pending that deal with the road and drainage system in the referenced subdivision.

Mr. Damazo stated that he would be willing to sign the drainage easements as requested by the County Engineer's Office if this would result in the release of the seven building permits on the lots that he owns in Essex South Subdivision, Section III.

After discussion, the Commissioners recommended a meeting with the County Engineer, Mr. Damazo and Mr. Hewitt, adjacent property owner, to determine if Mr. Hewitt is agreeable to a drainage easement along mutual property lines and to properly channelize drainage.

The meeting adjourned 4:45 p.m.

Approved,


George R. Aud, President

The first part of the report discusses the general situation of the project and the progress made during the last year. It also mentions the various meetings and reports that have been prepared.

The second part of the report deals with the specific results of the research. It describes the methods used and the data obtained. The results are presented in a clear and concise manner, with appropriate references to the literature.

The third part of the report discusses the conclusions drawn from the research. It highlights the main findings and their significance. It also mentions the limitations of the study and the need for further research.

The fourth part of the report contains the references used in the study. These are listed in alphabetical order and include books, articles, and other sources of information.

The fifth part of the report is the appendix, which contains additional information that is not included in the main text. This may include raw data, detailed calculations, or other relevant documents.

The sixth part of the report is the bibliography, which lists the sources of information used in the study. This is an important part of the report as it allows readers to verify the information and find more details on the subject.

The seventh part of the report is the index, which provides a quick reference to the various topics covered in the report. This is particularly useful for long reports with many sections.

The eighth part of the report is the summary, which provides a brief overview of the entire report. This is a useful tool for busy readers who want to get the main points of the study quickly.

The ninth part of the report is the conclusion, which summarizes the main findings and their implications. This is the final part of the report and is often the most important.

The tenth part of the report is the acknowledgments, which thank the people and organizations that have helped with the study. This is a polite and important way to show appreciation.

The eleventh part of the report is the list of figures and tables, which provides a quick reference to the visual elements of the report. This is particularly useful for reports with many figures and tables.

The twelfth part of the report is the glossary, which defines the key terms used in the report. This is particularly useful for technical reports where many specialized terms are used.