

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, July 25, 1979

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

The meeting was called to order at 9:10 a.m.

ENCUMBRANCE VOUCHERS

The Commissioners reviewed the encumbrance vouchers as presented by the Director of Finance. Commissioner Dean moved, seconded by Commissioner Millison, to approve payment of the bills.

APPROVAL OF MINUTES

Upon review of the minutes of the County Commissioners' meeting of July 18, 1979, the Commissioners unanimously approved the minutes as presented.

REQUEST FOR AUTHORITY TO ADVERTISE
YOUTH SERVICES COORDINATOR

The County Administrator advised the Commissioners that Delores Hill, Youth Services Coordinator, has resigned effective August 10, 1979 and therefore Mr. Cox requested authority from the Commissioners to advertise for this position. Commissioner Aud moved, seconded by Commissioner Arnold, to proceed with the advertisement of this position.

RECREATION COORDINATOR POSITION
OFFICE OF RECREATION AND PARKS

The County Administrator presented a memorandum from the Personnel Officer stating that the referenced position has been advertised and interviews conducted and it was the recommendation of the Interview Committee to hire Larry A. Rice in the position of Recreation Coordinator, Grade 10, effective August 6. Commissioner Millison moved, seconded by Commissioner Dean, to accept the recommendation and hire Larry A. Rice, a current CETA employee, in the position of Recreation Coordinator. All Commissioners voted in favor.

PUBLIC WORKS ADDENDUM NO. 2
BEVERLY ESTATES SUBDIVISION, SECTION TWO AND THREE

The County Administrator presented Public Works Agreement Addendum No. 2 by and between Lemon Hill Land Company (Warren E. Barley and William S. Lawrence) and the Board of County Commissioners of St. Mary's County, along with appropriate surety, extending the deadline for completion of the streets and roads in Beverly Estates Subdivision, Section Two and Three, Fourth Election District to July 28, 1980. In view of receipt of the above, Mr. Cox stated that the Stop Work Order directed by the Board at last week's meeting would not be necessary.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to signed said Public Works Addendum No. 2. All Commissioners voted in favor.

APPOINTMENTS TO BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Dean moved, seconded by Commissioner Arnold to appoint the following individuals to the Boards, Committees or Commissions as noted with terms as indicated:

<u>COMMISSION FOR WOMEN</u>	<u>TERM TO EXPIRE</u>
Mrs. Bertie Bowman	June 30, 1982
Mrs. Idolia Shubrooks	June 30, 1982
Mrs. Judith McCue	June 30, 1982
Mrs. Irene Bailey Graves	June 30, 1981
Mrs. Elmer Brown	June 30, 1980
Mrs. Ann Marum	June 30, 1982

CHELtenham GOVERNING BOARD

Mrs. Eleanor Ritchie
Mr. C. W. Kreamer

COMMUNITY COLLEGE BOARD

Mrs. Mary Howard June 30, 1984

ECONOMIC DEVELOPMENT COMMISSION

Mr. James Somerville June 30, 1981

HUMAN RELATIONS COMMISSION

Mr. Bernard Imber June 30, 1983

HOUSING AUTHORITY

TERM TO EXPIRE

Mr. John G. Lancaster

June 30, 1984

MENTAL HEALTH ADVISORY COMMITTEE AND
ALCOHOLISM COUNCIL

Legal Profession Representative

Mr. Andrew Bailey

June 30, 1981

METROPOLITAN COMMISSION

Mr. Paul Ludwig (reappt.)

June 30, 1982

Mr. A. L. Biggie Goode (reappt.)

June 30, 1982

PATUXENT RIVER BASIN WATER QUALITY MANAGEMENT
PLAN - PHASE II - PUBLIC ADVISORY COUNCIL

Mr. Leonard Copsey

REGION II BOARD - GOVERNOR'S COMMISSION ON LAW
ENFORCEMENT AND THE ADMINISTRATION OF JUSTICE

Mr. Donny Bryan

TRI-COUNTY COMMUNITY ACTION COMMITTEE

Father Charles Goetz

June 30, 1982

TOURISM COUNCIL

Mrs. Elizabeth Harman (reappt.)

June 30, 1980

Mr. Michael Olson "

"

Mr. Russell Maddox "

"

Mrs. Elaine Smith "

"

Mrs. Vi Englund "

"

Mr. H. Harold Bishop "

"

ECONOMIC IMPACT FEE AGREEMENT
CLOVERDALE ACRES SUBDIVISION

The County Administrator presented the Economic Impact Fee Agreement by and between Thomas E. Wood and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee for eight lots in the Cloverdale Acres Subdivisions, Fourth Election District. Commissioner Dean moved, seconded by Commissioner Arnold to approve and authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

ECONOMIC IMPACT FEE AGREEMENT

The County Administrator presented the Economic Impact Fee Agreement by and between Paragon Builders, Inc. and the Board of County Commissioners of St. Mary's County setting forth the method of payment of the economic impact fee for 11 lots Wildewood Subdivision, Section One, Plat 5. Commissioner Dean moved, seconded by Commissioner Arnold, to approve and authorize Commissioner President Aud to sign said Agreement. All Commissioners voted in favor.

TRAFFIC RESOLUTION NO. R 80-2

On behalf of the County Engineer, the County Administrator presented Traffic Resolution No. 80-2 designating Tippet Drive as a yield street as it intersects with Tippet Road in the Eighth Election District. Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign said Traffic Resolution. All Commissioners voted in favor.

REQUEST FOR WAIVER OF BUILDING PERMIT FEE

The County Administrator presented a request for a waiver of the building permit fee for Golgotha Apostolic Church for construction of an addition to the existing church structure in the Eighth Election District.

Commissioner Sayre moved, seconded by Commissioner Millison, to approve the requested waiver inasmuch as it complies with County Resolution No. 75-53. All Commissioners voted in favor of the motion.

REQUEST FOR WAIVER OF BUILDING PERMIT FEE

The County Administrator presented a request for a building permit fee waiver from Harry Lundeberg School for a library and maritime museum. Inasmuch as this request complies with County Resolution No. 75-53, Commissioner Sayre moved, seconded by Commissioner Millison, to approve said request. All Commissioners voted in favor.

CLEARINGHOUSE PROJECT NO. 80-7-69
ADDITION TO FIREHOUSE AND REFURBISHMENT OF FIRE TRUCK

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the state with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

FOOD SERVICES CONTRACT
COMMISSION ON AGING

On behalf of the Senior Services Coordinator, the County Administrator presented the Food Services Contract by and between the Board of Education and the St. Mary's County Commissioners, at a rate set forth in said contract. The Commissioners approved and authorized Commissioner President Aud to sign same.

CLEARINGHOUSE PROJECT NO. 80-7-115
ESTUARINE FISH MANAGEMENT

The County Administrator presented the referenced clearinghouse project and recommended forwarding it to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

SOTTERLY MANOR SUBDIVISION, SECTION TWO

With regard to discussion with the property owners in Sotterly Manor Subdivision, Section Two, and the Board of County Commissioners at their meeting of July 18 concerning the condition of the road, the County Administrator presented a proposed order drawn up by the County Attorney and County Engineer suspending all construction and conveyance privileges granted to Sotterly Manor, Section Two, until a new Agreement is executed or until the Order is modified or rescinded. Approval for all building permit applications for lots conveyed prior to July 25, 1979 will be decided on a case-by-case basis by the Commissioners.

The Commissioners unanimously approved and signed said Agreement.

CONTRACT MODIFICATION NO. 1
COASTAL ZONE MANAGEMENT

The County Administrator presented Contract Modification No. 1 to the Service Contract by and between the State of Maryland, Department of Natural Resources and the Board of County Commissioners of St. Mary's County increasing the scope of services for the Coastal Zone Management Program and giving the county additional funds to fulfill the additional services.

The Commissioners unanimously agreed to approve and authorize Commissioner President Aud to sign said Contract Modification No. 1.

REQUEST FOR CLEARING OF BRUSH ON BRIDGE SOUTH OF WILLOWS ROAD

Present: George Adams

Mr. Adams appeared before the Commissioners to request the Commissioners' assistance in having the brush and briar cleared from the bridge on Rt. 5, south of Willows Road.

After discussion, the Commissioners agreed to contact State Highway Administration and have this work done as soon as possible.

COMPREHENSIVE EMPLOYMENT TRAINING ACT (CETA)

Present: Gerda Manson, Personnel Officer
Edward V. Cox, County Administrator

Mr. Cox and Mrs. Manson appeared before the Commissioners to inform them of recent funding reductions concerning the Comprehensive Employment Training Act and of the fact that the County will be facing severe cutbacks in CETA personnel as of October 1, 1979. Documentation was presented describing some of the related facts and issues. Because of the amount of details involved and the changing nature of the CETA program, Mr. Cox requested authority from the Commissioners to determine the priority of positions to be retained.

The Commissioners granted the requested authority provided that such decisions be reviewed with Mr. Aud prior to implementation and that the Commissioners be kept fully informed.

HUMANE SOCIETY

Present: Mrs. Jean Lundy, Humane Society
Mrs. Joan Holland, " "
Mrs. Kathy Flood, Humane Society, U.S.
Other interested citizens

The referenced individuals appeared before the Commissioners to ascertain what decisions the Commissioners had arrived at with regard to their requests at the Commissioners' meeting on June 27.

The Commissioners advised them of the following proposed actions by the Board:

Cruelty Investigator - The County plans to hire an additional animal warden and to purchase necessary equipment and vehicle. Both animal wardens will be trained in cruelty investigation and be requested to assist the Humane Society in this effort.

Adoption proposal at Tri-County Animal Shelter - St. Mary's County is in agreement with the proposal of having all animals from the animal shelter spayed or neutered prior to adoption; however, the county is in the process of obtaining concurrence from Calvert and Charles since it is a tri-county shelter.

The representatives of the Humane Society thanked the Commissioners for their interest and actions, and the Commissioners requested that the Humane Society remain active in the county's endeavors concerning this matter.

BIDS ON FOREST LANDING
GRADING PARKING LOT AND ASPHALT

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the bid tally sheet for the referenced project and recommended that the bid be awarded to Insley Construction Company, the lowest and only bidder, in the amount of \$19,010, which is 100% reimburseable by the Department of Natural Resources.

The Commissioners agreed to accept Mr. Baggett's recommendation and award the bid to Insley.

NICOLET PARK - HARD SURFACE COURT

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the bid tally sheet for the referenced project and recommended that the bid be awarded to Insley Construction Company, the lowest and only bidder, in the amount of \$3,400.

The Commissioners unanimously agreed to accept Mr. Baggett's recommendation.

STATUS OF MARGARET BRENT AUDITORIUM

Present: John Baggett, Director, Recreation and Parks

Commissioner Arnold inquired of Mr. Baggett the status of the Margaret Brent Auditorium, its condition, and if it is under the Department of Recreation and Parks. Mr. Baggett replied that the auditorium is under the Recreation and Parks Department and it is badly in need of repairs. He stated that the County Engineer's office is to prepare the necessary specifications for these repairs, which will be within the next couple of weeks.

TEXT AMENDMENTS TO ZONING ORDINANCE

Present: Frank Gerred, Director, Planning and Zoning Office

Mr. Gerred reviewed with the Commissioners the proposed text amendments to the St. Mary's County Zoning Ordinance as presented by the Office of Planning and Zoning.

After review and recommended changes, Mr. Gerred was requested to re-write the proposed amendments with the recommended changes and present them to the Commissioners for review, after which time the Resolution for adoption of the text amendments will be prepared for the Commissioners' signatures.

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INDUSTRIAL SITE PLAN NO. 79-122
ARTHUR MIRFIELD

Present: Frank Gerred, Director, Planning and Zoning
Michael Mirfield, applicant

Mr. Gerred presented Industrial Site Plan No. 79-122 for Arthur Mirfield, located at the St. Mary's Industrial Park, Lot No. 8, Section 2 and advised that the Planning Commission recommended the Commissioners' approval of the Site Plan with the three waivers as requested.

After review, Commissioner Dean moved, seconded by Commissioner Arnold, to approve Industrial Site Plan No. 79-122 with the three requested waivers. All Commissioners voted in favor.

PRELIMINARY DESIGN PUBLIC HEARING
230 KV TRANSMISSION LINE

Present: Frank Gerred, Director, Planning and Zoning

Mr. Gerred stated that he attended the Public Hearing on the Preliminary Design of the 230 KV Transmission Line-Patuxent Beach to Lexington Park and reviewed the alternate routes with the Commissioners as presented at the July 18 meeting.

COMMENDATION - ANN TRENTMAN

The Commissioners presented a Commendation to Ann Trentman for her professional volunteer services on behalf of the Child Abuse Task Force.

COMMENDATION - PHIL CLARKE

The Commissioners presented a Commendation to Phil Clarke for his promotion of the state sport of jousting and in recognition of his entrance into the National Jousting Hall of Fame.

(Commissioner Millison left meeting - 1:00 p.m.)

REZONING HEARING
CASE NO. ZA 79-73
LESTER KRAFT

Present: Bruce Kraft (applicant's son)
Jon Kraft
Frank Gerred, Director, Planning and Zoning
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the application of Lester Kraft to have rezoned the property containing the Siesta Motel,

Tax Map 34, parcel 117, on MD Rt 235, Eighth Election District, consisting of approximately 1.7 acres, from R-2, Residential, to C-2 Commercial.

The complete file, tap and minutes are on file in the Office of Planning and Zoning.

ZONING DECISION RESOLUTION NO. Z-79-06

1. GREAT MILLS COMMUNITY SERVICE CENTER

2. JOSEPH D. KNOTT

CASE NO. ZA 78-245

Commissioner Dean moved, seconded by Commissioner Arnold to adopt and Sign Zoning Decision Resolution No. Z-79-06 - Great Mills Community Service Center and Joseph D. Knott, Case No. ZA 78-245, as prepared by the County Attorney, amending the St. Mary's County Comprehensive Land Use Plan designating certain properties in the Great Mills area as a Community Service Center and further approving the zoning application of Joseph D, Knott to C-2, Commercial, Zoning. All Commissioners present voted in favor.

ZONING DECISION DISCUSSION

CASE NO. 78-128 - JAMES C. LANHAM

Having conducted a public hearing on June 13, 1979 on the application of James C. Lanham for rezoning of approximately one acre of property located on Tax Map 43, Parcels 205 and 206, off of Rt. 235, Eighth Election District, from R-2, Low Density Urban Residential, to C-1, Commercial, the Commissioners commenced discussion.

Commissioner Dean submitted a paper setting forth findings of fact to deny the referenced application and made a motion to submit this information to the County Attorney for preparation of appropriate Zoning Decision Resolution, seconded by Commissioner Sayre, the Commissioners voted two to two on the motion; therefore, the decision will be tabled until next week's meeting.

REZONING DECISION DISCUSSION

CASE NO. ZA 79-26 - J. FRANK ABELL

Present: Frank Gerred, Director, Planning and Zoning

Having conducted a public hearing on June 27, 1979 on the application of J. Frank Abell to have rezoned Parcel 24 of Tax Map 9 located on the west side of MD Rt. 5, at the intersection of same with Old Rt. 5 in the Fifth Election District which contains approximately 2.82 acres from AR-2,

Agricultural-Residential to C-2, Commercial, the Commissioners commenced discussion.

Commissioner Dean submitted a paper to be given to the County Attorney for preparation of the appropriate zoning decision resolution approving said rezoning application with certain limitations as noted in his paper. However, after discussion, Commissioner Arnold moved, seconded by Commissioner Sayre to approve the rezoning application based on the fact that the property has been used commercially since 1940, and without the restrictions as submitted by Commissioner Dean. Three Commissioners voted in favor, with Commissioner Dean voting no, stating he may vote in favor of signing the zoning amendment resolution if a proper buffer is included.

SEMINAR ON ENERGY CONSERVATION IN NEW CONSTRUCTION

Present: Frank Gerred, Director, Planning and Zoning
Jeff Poley, Zoning/Subdivision Administrator
Jim Weber, Zoning Inspector
Representatives from Department of Economic and Community Development
Otis Wood, Director, EOC (Energy Coodinarto)
Stewart White, Energy Monitor

Representatives from the Department of Economic and Community Development appeared before the Commissioners to explain their interpretation of the requirements of federal and state legislation regarding energy conservation in new construction and distributed copies of federal and Maryland energy conservation legislation and the BOCA Basic Code. The representatives advised the Commissioners that St. Mary's County will eventually have to have a building code and explained the consequences if one was not adopted.

The Commissioners thanked the representatives from the Department of ECD for their presentation and advised they would review the presented material.

HIRING OF DIRECTOR OF YOUTH DIVERSION PROJECT
BIG BROTHER/BIG SISTER PROGRAM

The County Administrator presented a memorandum from the Personnel Officer stating that the referenced position was advertised, interviews conducted and candidates ranked and it was the recommendation that Serita McFarling, the top-ranked candidate be hired to the position of Director, Youth Diversion Project, effective August 13, at a salary of \$10,903 per annum.

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Commissioner Dean moved, seconded by Commissioner Arnold, to accept this recommendation. All Commissioners voted in favor.

POPE JOHN PAUL, II

Commissioner Dean reported to the Commissioners that there is a possibility that Pope John Paul, II, would be visiting Baltimore during his American visit in the Fall and suggested that contact could be made to request that the pope visit St. Mary's County, the birthplace of religious freedom. The Commissioners concurred with this suggestion and stated that appropriate Catholic officials should be contacted to determine how the County can extend this invitation to the Pope.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss a matter of litigation (Cedar Cove). The Session was held from 4:00 p.m. to 5:10 p.m.

The meeting adjourned at 5:10 p.m.

Approved,


George R. Aud, President