

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 15, 1981

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

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

APPROVAL OF VOUCHERS

Commissioner Millison moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted by the Director of Finance. Motion carried unanimously.

GREAT MILLS HIGH SCHOOL FOOTBALL TEAM

Present: Great Mills High School Football Team  
Great Mills High School Cheerleaders  
Great Mills High School Athletic Staff

The Commissioners presented a Commendation to the Great Mills High School Football Team, the cheerleaders and the athletic staff for their outstanding athletic accomplishments through a most successful football season. Great Mills was the first County high school team to participate in the State-wide football conference.

MCINTOSH ROAD AND BRIDGE RECONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris reviewed the plans for the proposed reconstruction of McIntosh Road and Bridge and stated that he had been advised of the existence of an extremely rare bivalve, Ancient Floater, in the McIntosh Run which will require certain precautionary measures. This bivalve exists in only 12 locations world-wide and the McIntosh Run is the only location in the State of Maryland. Mr. Norris advised that sediment control considerations will be very important in this project as this species is very sensitive to increased stream turbidity.

SNOW REMOVAL POLICY

Present: John Norris, County Engineer

Mr. Norris reviewed with the Commissioners the snow-removal capabilities of the County and stated that an adequate job can be done with the present staff with the purchase of a commercial snow blower machine in the amount of approximately \$1100.

The Commissioners gave their concurrence and requested that the Budget Officer determine the appropriate source of funds.

LEONARDTOWN LIBRARY

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners of an upcoming meeting with the Leonardtown Commissioners on December 21 and requested approval from the Commissioners on the following:

1. Authorization for Commissioner President Aud to sign a letter to the Department of Housing and Urban Development, which provided grant funds in the amount of \$90,000 in 1969 for the existing library at Tudor Hall. Concurrence is needed from HUD that the County can move from Tudor Hall to the Armory because there were some restrictions in the grant money. Mr. Norris stated that the County needs to ascertain what liability exists before the transfer is started.

2. Authorization for Mr. Norris to go before the Leonardtown Commissioners regarding the library being moved from Tudor Hall to the Armory, as well as the Senior Service Center project. The Commissioners gave their concurrence for the above two items.

SPECIAL DRAINAGE DISTRICT  
LEXINGTON PARK

Present: John Norris, County Engineer

Mr. Norris reminded the Commissioners of the petition for the establishment of a Special Drainage District on Route 246 in the vicinity of the Besche, Pizza Hut, Aldridge Ford and Hewitt properties. He stated that one of the requirements was the establishment of a three-person board made up of residents of the area. Mr. Norris said that he would present the details for the establishment of the Special Taxing District at next week's meeting.

FAR CRY ROAD IMPROVEMENTS

Present: John Norris, County Engineer

Mr. Norris referred to correspondence from Charles and Patricia Stamm expressing concern regarding improvements needed to Far Cry Road, which is located three miles south of Lexington Park. Mr. Norris advised that there are approximately 10 residents at the end of the gravel road and he has prepared a cost estimate to do the improvements which is in the amount of approximately \$50,000, plus utility relocation costs. He stated it would be difficult to justify this expenditure for the number of homes on the road.

The Commissioners stated that they would defer a decision until they have had an opportunity to visit the site.

APPROVAL OF VOUCHERS  
COUNTY ENGINEER'S OFFICE

Present: John Norris, County Engineer

Mr. Norris presented the following vouchers for the Commissioners' review and approval:

Voucher No. 039890 - Payable to Dean Construction Company in the amount of \$276,087.65 for the final estimate for Project SM 82-1-4 (Asphalt Overlay).

Voucher No. 039888 - Payable to B. F. Asher in the amount of \$2,845.85 for Estimate No. 9 for Project No. SM 81-1-5 (Ridge Transfer Station).

Voucher No. 039886 - Payable to B. F. Asher in the amounts of \$2,992.95 and \$2,586.05 for Project No. SM 81-1-5 (Town Creek Taxing District and Oakville Transfer Station).

Purchase Order No. 4582 - Payable to PRB Associates, Inc. in the amount of \$9,980 for Project No. SM 82-1-6 (Hardware for Micro-Computer System).

The Commissioners gave their concurrence for payment of the referenced bills.

COUNTY-OWNED PROPERTY INVENTORY TASK FORCE REPORT

Present: Paul Raley, Director, Purchasing and Logistics  
Laura Clark, Planning Technician

The referenced Task Force members appeared before the Commissioners to present their completed study on the inventory of County-owned property. Miss Clark explained that the study was conducted by pulling out all the tax exempt property from the tax assessment roles and separating County property from the Board of Education property. Deeds, Land Records and Assessment Office records were researched. In the report the County-owned property is broken down by Election Districts. There is a total of 2076.71 acres of County-owned property including Board of Education (615.9 acres), with 168 acres not currently being used. 165 acres in Valley Lee is a tract intended for a landfill which had been determined to be unacceptable and was converted to a transfer station. Mr. Raley stated he would prepare a memorandum to the various county agencies to determine if there is a need and justification for the unused property and present this to the Commissioners for action.

Miss Clark reviewed the System Report for County-owned Property for a perpetual inventory, which will include a Settlement Sheet being prepared by Mr. Raley. The Commissioners gave their concurrence and requested that this procedure be reviewed by the County Attorney.

During discussion of the above, Commissioner Dean suggested, with the Board's concurrence, that there be burglar and fire proof safes for county documents. The County Engineer, John Norris, and Mr. Raley are to be directed to undertake this project.

CONSERVATION CAMP - ELMS PROPERTY

Present: John Hall, Soil Conservation Service  
Dennis Flynn, Resource Conservation and Development  
Timothy Frink, Soil Conservation District

The referenced individuals appeared before the Commissioners to discuss a proposed Agreement relative to the establishment of a tri-county conservation camp to be conducted in the Summer of 1982 at the Elms Property, and thereafter to rotate annually among the three Southern Maryland counties. The camp would be one week long for 30 students, ten from each county, purpose of which would be to acquaint the participants with the natural resources of the area.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to authorize Commissioner President Aud to sign the Agreement. All Commissioners voted in favor.

PUBLIC HEARING  
SUPPLEMENTAL APPROPRIATION ORDINANCE

Present: Karl Pence, President, Education Association of  
St. Mary's County

The Commissioners conducted a public hearing on the adoption of an Ordinance allowing the County to apply the undesignated fund balance of \$1,972,067 to aid in funding the 1981-82 County Capital Budget.

Mr. Pence, on behalf of the Education Association of St. Mary's County, presented a Statement of the Association. The Education Association is of the opinion that the surplus should be used to supplement programs and services that were inadequately funded in the current budget. It was suggested by the Education Association that if half of the surplus is distributed to County departments, the Board of Education use such funds for maintenance, equipment updating, textbooks and supplies and the reinstatement of library/media services.

The Commissioners thanked Mr. Pence for his comments and stated that they would take them under advisement.

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

BOND ANTICIPATION NOTE SALE

By way of a telephone call from the Mercantile Bank Building in Baltimore, the County Administrator, Edward Cox, announced the bids for the Bond Anticipation Note Sale in the amount of \$2,000,000. Bids were opened in Baltimore by Mr. Cox, in the presence of Ed Clark and Stewart Diana of Piper and Marbury as Bond Counsel, and Sam Ketterman of Alex Brown and Sons as Financial Advisor. Joseph O'Dell, Director of Budget and Data Services was also present. The bids were as follows:

First National Bank of St. Mary's	10.80
Alex Brown and Sons	10.75
First National Bank of Maryland	10.03
Baker, Watts and Company	9.75

The bid of Alex Brown and Sons was eliminated because it did not meet the full bid requirements in that a good faith deposit was not presented at the time of the bid. In addition, the bid of First National Bank of St. Mary's was eliminated because it did not arrive in time.

After review, Commissioner Millison moved, seconded by Commissioner Dean, to award the bid to Baker, Watts and Company, the lowest bidder, at the rate of 9.75%.

Further, the Commissioners agreed to adopt Resolution No. 81-104 regarding the issuance of Bond Anticipation Notes.

HOUSING SITUATION IN ST. MARY'S COUNTY

Present: Joseph Mitchell, Public Housing Coordinator  
John Lancaster, Chairman, Housing Authority  
Michael Glazer, Member, Housing Authority  
John Madel, Member, Housing Authority  
Virginia Sullivan, Member, Housing Authority

The referenced individuals appeared before the Commissioners to present a updated report on the activities of the Housing Authority and what is planned for the future to assist in alleviating the critical housing shortage in the county.

Mr. Mitchell, by way of a chart presentation and a handout, described to the Commissioners the current housing situation in the County and what positive steps the Housing Authority has taken to relieve these conditions. (A copy of the handout is on file in the Commissioner's Office).

Mr. Mitchell stated that the goal of the Housing Authority is to maximize the present level of housing programs and made certain recommendations regarding housing and community development.

If acceptable to the Commissioners, the Housing Authority will assist the implementation of these recommendations, which are set forth in the above-mentioned handout.

The Commissioners expressed their appreciation of the efforts of the Housing Authority and requested that they proceed with the implementation of their recommendations.

COMPREHENSIVE RECREATION AND PARKS PLAN

Present: John Baggett, Director, Recreation and Parks  
Leslie Vandivere, Chairperson, Recreation and Parks Board  
Judy Roa, Recreation and Parks Board  
Mary Ruth Horton, Recreation and Parks Board  
Robin Guyther, Planner, Office of Planning and Zoning

The referenced individuals appeared before the Commissioners to present the draft of the Comprehensive Recreation, Parks and Open Space Plan for St. Mary's County.

During review of the Plan, Mr. Baggett pointed out the Park Coverage map and indicated the need for parks in the California and Second District area.

Discussion ensued as to the need for basketball courts at some of the park sites and the Commissioners directed that this be an addition to the parks within the constraints of the budget.

COMPREHENSIVE RECREATION AND PARKS PLAN (Cont'd.)

In conclusion, Mr. Baggett advised that the Planning Commission will be reviewing and making recommendations to the Commissioners on the Comprehensive Recreation, Parks, and Open Space Plan, and the final Plan will be submitted to the Commissioners for approval in January.

OPTION AND AGREEMENT TO PURCHASE

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the Option and Agreement to Purchase by and between John P. Rue and Charles Kimball and the Board of County Commissioners for a parcel of property located on the southeasterly side of Maryland Route 249 for the purpose of a park in the Second Election District.

Commissioner Dean moved, seconded by Commissioner Sayre, to sign said Agreement. All Commissioners voted in favor.

REZONING DECISION DISCUSSIONS

Present: Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

ZONE #81-0882  
ABELL CLARK

Request to rezone (from AR-2 to C-2) 0.64 acres adjacent to parcel 22, which is presently zoned C-2 ("Green Acres Drive-In"). The property is described to be the balance of land from parcel 20 after taking out Right-Of-Way by the State Highway Administration. The property is located along the eastern margin of Md. Rt. 5, south of Leonardtown, on Tax Map 41, Block 14, Parcel 20 in the 3rd Election District.

The full complement of the Board of County Commissioners was in attendance and participated in the ensuing discussions/decisions rendered this date with respect to the rezoning requests for Joseph Abel Clarke, Henry E. Zollenhofer and Herman Hewitt.

Commissioner Millison led the discussion with respect to the Clarke request by offering that one guideline which he consistently followed in all rezoning matters was the posed question, "Will this harm anybody?" Mr. Millison felt that appraisal of this request resulted in the realization that it would not adversely effect anyone. He reflected that the County was constantly involved in economic development efforts and envisioned this proposal as an expansion of needed services to the County and a means to allow this local businessperson to expand his business and put money back into the community. In

ZONE #81-0882 (Cont'd.)

conclusion, Commissioner Millison felt that this would be an asset, for those reasons aforementioned and consequently, he would be in favor of the rezoning.

Commissioner Dean distributed to the other members and staff, his prepared written considerations with respect to this rezoning request. Said findings of fact and recommendations included a denial of the C-2 request. Mr. Dean offered that his recommendation for the initial request had included an endorsement for CL, based on reasoning that a portion of the property was already commercially developed and because parcel 23 might not have been entirely suited for residential development.

Commissioner Sayre questioned if the zoning were approved, in view of the fact that central water and sewage was not available to the property, could the applicant proceed to develop the parcel. Mr. Gerred stated that the results of any percolation testing was unknown at this time.

Commissioner Dean offered his reasoning in this case, noting that under the Comprehensive Plan, intensive commercial development was mandated to occur within designated urban and commercial-center areas. Commissioner Dean strongly emphasized his contention that it would be a grave mistake to go out into this area and start the precedent of commercial strip development. Mr. Dean offered that he recognized the fact that in the earlier case, the property was already developed commercial and was an existing C-2 nonconforming status. He felt that it was not in keeping with the purpose and intent to recommend this subject request to a CL zoning category. Mr. Dean stated, "I opposed the C-2 designation in the earlier case. The factors are the same in this case and I have to oppose it again."

Commissioner Dean stressed that the applicant bought the property knowing full well its zoning classification. In the former case, the parcels existed in a nonconforming commercial use status. However, in the subject case, the applicant bought the property six years after the adoption of the Comprehensive Zoning Plan by the County (1974). Thus, it was clear, that the applicant, in this instance, bought the property, fully aware of the zoning status and thus there was no justification for change to either C-2 or CL.

Commissioner Dean reflected that prior testimony by the applicant's representative (Bob Taylor of Taylor Engineering) had revealed that the applicant's intent was to develop a convenience store on the property. He noted that the CL zoning category would accommodate that use. In conclusion, Commissioner Dean stated, "Let's not compound what I feel was a zoning error in the initial zoning, by putting more C-2 there."



ZONE #81-0882 (Cont'd.)

Mr. Gerred injected that should the Board decide to grant the request, that the issue of basis for the change, i.e. change in the neighborhood, mistake in the original zoning of the property, would be addressed. He emphasized that one or both of those two basis was required under Maryland Law, as positive finding by the Board for justification for the change.

Commissioner Arnold asked whether the increased use of the Fairgrounds property could be basis for change in the neighborhood. Mr. Gerred responded that one could use that argument, however, he believed that the Comprehensive Plan had envisioned that change (increased use of the fairgrounds, sewer expansion and development of the educational complex adjacent), consequently, he did not feel that this was a justifiable argument.

Bob Taylor offered that the applicant had attempted to purchase this property prior to 1980. Mr. Taylor reiterated his former contentions that there had been a change in the character of this neighborhood, due to the increased uses of the educational complex and the fairgrounds and felt that the Comprehensive Plan had not envisioned this change with respect to the increased transient populace utilizing those properties in terms of provision of services.

Commissioner Millison asked the other Board members to consider where a person might stop to refresh themselves and buy a sandwich and a soda, when traveling between Leonardtown proper and St. Mary's City. He felt that provision of a convenience store in this particular area, would offer a tremendous service and would be a definite asset to the County.

Commissioner Arnold felt that the neighborhood had changed significantly in terms of increased use of the fairgrounds. He spoke at some length to the desire to promote economic development and growth throughout the County and offered that here was a perfect example of a life-long County resident, asking for the opportunity to do just that. Commissioner Arnold contended that the proposed business would provide the means to increase the tax base, offer employment opportunities and secure the investment of this local businessperson. He reiterated Commissioner Millison's assertion that the rezoning of this property certainly would not adversely affect anyone, much to the contrary, it would provide a needed service to the community.

Additional discussion of the Board ensued. Commissioners Sayre and Aud both felt that the CL zoning classification was a considered alternative. Commissioner Aud did note, however, that one aspect which concerned him, was the fact that the Board of Education had opposed the rezoning. He repeated that he would be willing to compromise and consider a CL zoning category.

ZONE #81-0882 (Cont'd.)

Commissioner Arnold suggested that the Board postpone the decision of this matter, thus providing the members with an extended deliberation period. The members concurred to hold-off decision of this matter to a later date.

ZONE #81-0774  
HENRY E. ZOLLENHOFER

Requesting rezoning from R-1, Residential, to I-1, General Industrial. The property contains approximately 4 acres of land and is located on the north-east corner of the intersection of Maryland Route 235 and Clarkes Landing Road in the 6th Election District on Tax Map 34, Block 2, Parcels 188, 204, 269 & 325.

Commissioner Dean distributed to the other members and staff, copies of his prepared written comments with respect to this application. The members paused to review same.

Following brief discussion, Commissioner Dean moved, seconded by Commissioner Sayre, that the Board forward said pertinent factors in this case to the County Attorney with instructions to prepare the appropriate resolution approving the rezoning of the subject property to C-2, for the reasons as contained within the minutes and supporting information.

The motion carried unanimously and said information will subsequently be conveyed to the County Attorney.

ZONE #81-1148  
HERMAN W. HEWITT & ELIZABETH R. HEWITT

Request for rezoning of property located on the north side of Maryland Rt. 246, opposite "St. Mary's Square" on Tax Map 43A, Parcels 9A & 9B in the Eighth Election District from R-4, Medium Density Residential, to C-2, Commercial extensive. The subject parcel contains approximately 3.89 acres.

Commissioner Dean led the discussion and noted that following review of the case, he believed the pertinent factors in this case were as follows:

1. The subject property is situated in the designated commercial area of the County, directly across 246 from a major shopping center.
2. Adjacent properties on either side are commercially developed.
3. Access to the property is at a controlled intersection all factors indicate it to be a desirous location.

ZONE #81-1148 (Cont'd.)

4. It could be found that the residential commercial zoning of the property is unsuited.

Commissioner Dean stated that the primary question was not whether C-2 zoning was appropriate, but how the significant issues in it's development might be addressed. Those issues previously addressed at the public hearing and incorporated in the TEC comments related to:

1. Ingress and egress to and from the site.
2. Drainage and management of storm water.
3. Effective buffering of the subject property from the residential properties to the rear.

Commissioner Dean offered that he was in favor of granting the rezoning, however, the question became one of "how, based on address of these three issues."

Discussion of the Board ensued and it was noted that the concerns as outlined could be addressed through conditional zoning or at the site plan stage, when development would occur. Mr. Dean felt that at site plan, the application would be bound by the limitations and the standards imposed by the Zoning Ordinance. For example, he offered that the buffering between this property and the residential property, as required by the Zoning Ordinance would be 35 ft. "Supposing the TEC or Planning Commission felt that this was not sufficient." Commissioner Dean reflected, "...wouldn't mind addressing at site plan, provided there is enough flexibility to address them optimally."

In addressing the issue relative to drainage, Commissioner Aud offered that a district was being set up and questioned whether the applicant would have problems complying with that. Mr. Jim Kenney, representing counsel, responded that while he didn't have the authority to speak for the applicant on that, he did know that Mr. Hewitt had been appraised of that eventuality and had not gotten any negative feedbacks. Mr. Kenney offered that he had been advised that the applicant would discuss this with the other property owners.

Mr. Aud stated that he would like to see that be a condition, i.e., that the applicant would work with the community towards a solution of the drainage in this area.

Commissioner Dean injected that he would like to see the ingress/egress from the site be limited from the controlled intersection on Rt. 246.

ZONE #81-1148 (Cont'd.)

Commissioner Millison voiced his concern with what he felt would be singling out one individual and imposing conditions on him which were in excess of what was required in the Ordinance. He felt that if the Ordinance was not adequate, then the Ordinance should be changed. Commissioner Millison noted, "I don't feel we should build in conditions that we would like to see." He stated that he would be in favor of granting this requested change, however, he again stressed that the Board should not single out this one property owner and dictate different requirements simply because it seemed to be desirable.

Commissioner Dean disagreed stating that he felt that it was absolutely proper to examine each case on its own merits and address those concerns accordingly.

Following brief deliberation, Commissioner Dean moved, seconded by Commissioner Arnold, that the rezoning be granted (C-2) for the reasons as set forth, based on the Board's finding that mistake in the original zoning of the property had been found, said rezoning granted with address of the following issues:

1. Buffer between the subject property and the residential property be addressed at site plan;
2. Rezoning granted conditionally that ingress and egress be denied off Yorktown Road;
3. Conditioned upon the owners of the property agreeing to participate in the drainage district for that area.

The motion unanimously passed and said information will hence be forwarded to the County Attorney for preparation of the appropriate resolution.

DEPARTMENT OF TRANSPORTATION  
CONSOLIDATED TRANSPORTATION PLAN

(At this time representatives from the Department of Transportation presented the Consolidated Transportation Plan. A tape of the proceedings is on file in the Commissioners' Office.)

(Commissioner Millison left the meeting to attend another meeting.)

BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Aud moved, seconded by Commissioner Sayre, and unanimously carried, to make the following appointments:

<u>St. Mary's Council on Children and Youth</u>	<u>Term to Expire</u>
Judith McCue	December 31, 1982
Carole Pinckney	December 31, 1984
Valerie von Allmen (reappt.)	December 31, 1984
Elfreda Mathis (reappt.)	December 31, 1984

BOARDS, COMMITTEES AND COMMISSIONS (Cont'd.)

<u>Mental Health/Alcoholism Advisory Council</u>	<u>Term to Expire</u>
Serena Newbauer	June 30, 1984
Doris Mason	June 30, 1984
<u>Social Services Board</u>	
Joseph Densford	June 30, 1983
<u>Tri-County Youth Services Bureau</u>	
George Smith	December 31, 1984

APPOINTMENT - METROPOLITAN COMMISSION

Commissioner Aud moved, seconded by Commissioner Millison, to appoint Laurence (Deedy) Garner to the Metropolitan Commission for a term to expire December 31, 1984. Four Commissioners voted in favor, with Commissioner Arnold abstaining.

BENEFITS COUNSELOR POSITION  
OFFICE ON AGING

The County Administrator presented a memorandum dated December 11 from the Personnel Officer requesting authority to hire Judy Schotanus to the position of Benefits Counselor, Grade 6 (Contract position) in the Office on Aging, effective December 21, 1981.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept the Personnel Officer's recommendation. All Commissioners voted in favor.

PROGRAM DIRECTOR  
OFFICE ON AGING

The County Administrator presented a memorandum dated December 4 from the Personnel Officer requesting authority to begin the process to hire a Program Director, Grade 10, to fill the vacancy created by the resignation of June Long. The Commissioners gave their concurrence.

PERMIT CLERK POSITION  
OFFICE OF PLANNING AND ZONING

The County Administrator presented a memorandum dated December 9, 1981 from the Personnel Officer requesting authority to establish and fill the Permit Clerk position, Grade 6, in the Office of Planning and Zoning.

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

BUDGET AMENDMENT NOS. 82-28 AND 82-29

The County Administrator presented the following Budget Amendments for the Commissioners' approval as recommended by the Budget Officer:

BUDGET AMENDMENT NOS. 82-28 AND 82-29 (Cont'd.)

No. 82-28 (County Administrator, Economic Development)

Increase Accounts:

- #1018-11110 (Salaries - General) by \$9,585;
- #1018-21010 (Office Supplies) by \$500;
- #1018-2110 (Travel) by \$2,000;
- #1018-31010 (Office and Communication) by \$200;
- #2610-26910 (Hospitalization) by \$4,815.

Decrease Account:

- #2220-11110 (Salaries - General) by \$17,000.

No. 82-29 (County Engineer, Purchasing and Logistics)

Increase Account:

- #1251-3130 (Equipment) by \$765;

Decrease Account:

- #1251-31410 (Equipment) by \$617;
- #1251-29510 (Travel) by \$148.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the referenced Budget Amendments (No. 82-28 and 82-29). All Commissioners voted in favor.

ZONING AMENDMENT RESOLUTION NO. Z-81-16

ROBERT A. EVANS - ZONE 81-0474

Application to rezone from R-1, Residential, to a Commercial zoning (RSC, C-1 or CM) property located on St. George's Island in the Ninth Election District on Tax Map 69, Block 2, Parcels 9 and 10 containing approximately 2.63 acres.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign Zoning Amendment Resolution No. 81-16 (Robert A. Evans - ZONE #81-0474) approving the rezoning to Commercial Marine. All Commissioners voted in favor.

ZONING AMENDMENT RESOLUTION NO. 81-17

J. HARRY NORRIS - ZONE NO. 81-0891

Application to rezone a tract of land located North of Leonardtown, along Md. Rt. 5 containing 5.414 acres, more or less, from AR-2 to C-1. The tract is Parcel 186, Block 2 on Tax Map 32.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign Zoning Amendment Resolution No. 81-17 (J. Harry Norris - ZONE #81-0891). All Commissioners present voted in favor.

RESOLUTION NO. 81-103

CAPITAL IMPROVEMENT PROGRAM

BOARD OF EDUCATION

After review, Commissioner Arnold moved, seconded by Commissioner Dean, to approve and sign Resolution No. 81-103 regarding the Board of Education's Capital Improvement Program. All Commissioners voted in favor.

RESOLUTION NO. 81-101  
VIOLENCE AND EXTREMISM

The Commissioners agreed to approve and sign Resolution No. 81-101 regarding cooperation with the Governor's Task Force on Violence and Extremism.

RESOLUTION NO. 81-62A  
HEALTH OFFICER NOMINATION PROCESS

After review, Commissioner Dean moved, seconded by Commissioner Arnold, to adopt and sign Resolution No. 81-62A establishing the process by which the County nominates an individual for Health Officer to the Secretary of the State Department of Health and Mental Hygiene. All Commissioners present voted in favor.

CORRESPONDENCE TO CHAMBER OF COMMERCE  
COMMERCIAL INVENTORY TAX

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the Chamber of Commerce advising that the County has received a legal interpretation from the County Attorney as to the possibility of exempting a certain amount of inventory from taxation and that legislation will be submitted to obtain authority for such an exemption. The Commissioners agreed to sign and forward said letter.

REQUESTS FOR OVERTIME PAYMENT  
SHERIFF'S DEPARTMENT

The County Administrator presented a request for overtime payment from the Sheriff's Department for the period of November 7 through December 5, 1981 in the amount of \$859.30. This request was approved by a majority of the Board in December 8, 1981 and needs concurrence from the Board reflected in the minutes. The Commissioners gave their concurrence.

In addition, the County Administrator brought to the Commissioners' attention corrections of the amounts of overtime payment as reflected in the November 24, 1981 and December 1, 1981 minutes. The correct amounts are \$947.86 and \$951.38 respectively. The Commissioners gave their concurrence and directed that the minutes be amended to reflect the correct amounts.

CORRESPONDENCE TO STATE ETHICS COMMISSION

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the State Ethics Commission requesting an extension from March 1, 1982 to May 15, 1982 for the enactment of a local public ethics law in St. Mary's County. The Commissioners agreed to sign and forward said letter.

BOARD OF ELECTION SUPERVISORS  
REQUEST TO PURCHASE VOTING MACHINES

The County Administrator advised the Commissioners of a request by the Board of Election Supervisors for the acquisition of 14 Shoup Voting Machines at \$300 each from Harford County. The Director of Budget and Data Services recommended that if this request is approved the County not provide any additional budget authority until the last quarter of FY82 in case there are funds remaining in the salary and/or operating expenses. The Commissioners approved the request and concurred with the recommendation.

NURSING SCHOLARSHIP

The County Administrator presented correspondence from Amy Catherine Greer who is a recipient of a Nursing Scholarship from the County, requesting clarification of the bond due to the fact that she is receiving a one-year scholarship. She is requesting that she only be required to work in the County for one year as opposed to three normally required in the bond. The Commissioners gave their concurrence to grant this exception.

LEGISLATIVE PACKAGE REVIEW

The County Administrator reviewed with the Commissioners the Legislative Items to be submitted to the 1982 Maryland General Assembly and requested direction on each item. Action was taken as follows:

1. State's Attorney's Salary

There is a chance that it might be submitted as State-wide legislation. However, since the State's Attorney has requested that it be submitted as local legislation, the Commissioners agreed to submit.

2. St. Mary's County Sheriff's Department - Retirement System

To be deferred until completion of study.

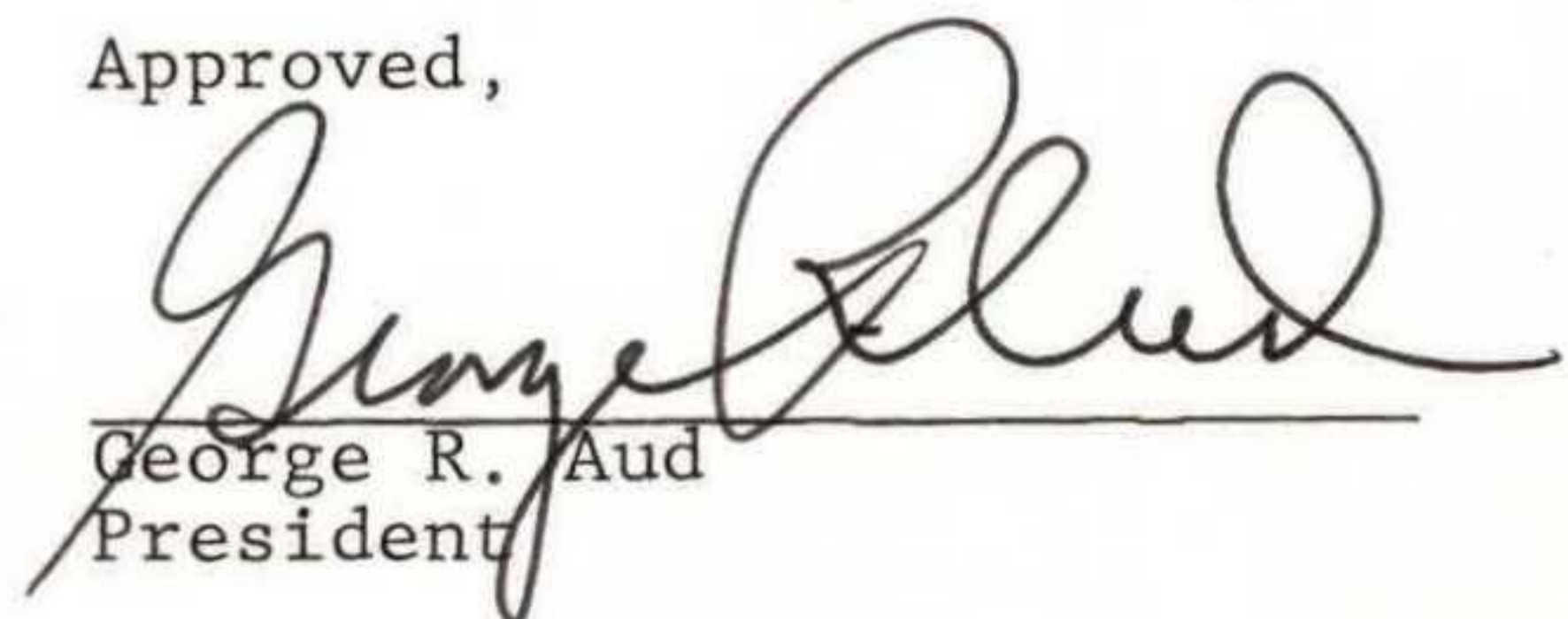


LEGISLATIVE PACKAGE REVIEW (Cont'd.)

3. St. Mary's County Jail - Funds for Renovation  
Approved to be submitted.
4. Metropolitan Commission - Payment and Extinguishment of Benefit Assessments  
Approved to be submitted.
5. Percentage Limitation for Certain Evidences of Indebtedness  
Approved to be submitted.
6. State Highway Administration (Construction, Reconstruction and Maintenance of County Roads)  
Approved to be submitted.
7. Sand and Gravel Taxation  
To be deferred until completion of Committee's Report.
8. Penalty and Interest Charges on Delinquent Real Estate  
To be deferred until comments are received from County Attorney.
9. Referendum Requirement - General Obligation Bonds  
In that the power of referendum is provided for in Article XVI of the Maryland Constitution, this item will not be submitted.
10. Commercial Inventory Tax  
Approved to be submitted.
11. Eighth District Fire Tax  
To be deferred until comments from County Attorney.

The meeting adjourned at 4:30 p.m.

Approved,

  
George R. Aud  
President