

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, November 5, 1986

Present: Commissioner J. Patrick Jarboe, M.D., President  
 Commissioner W. Edward Bailey  
 Commissioner Ford L. Dean  
 Commissioner David F. Sayre  
 Edward V. Cox, County Administrator  
 Judith A. Spalding, Recording Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, October 28, 1986.

APPROVAL OF BILLS

Commissioner Sayre moved, seconded by Commissioner Bailey, to approve payment of the bills as submitted. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS

Commissioner Sayre moved, seconded by Commissioner Dean, and motion carried, to make the following appointments:

<u>Library Board of Trustees</u>	<u>Term to Expire</u>
Mary Ann Chasen	June 30, 1990
<u>Mental Health Alcoholism Drug Abuse Advisory Council</u>	
Robert Guest	June 30, 1987
Janice Picket Walthour	June 30, 1989
Dennis Scott	June 30, 1989

2) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Budget Director with justifications as indicated:

No. 86-56  
County Commissioners

Justification: To approve increase of transfer amount between General and Capital Funds to provide capital fund with sufficient resources to make project authority at year's end.

No. 87-16  
Public Works

Justification: To provide county portion of installation costs of signalization of Md. Rt. 5 and Cedar Lane.

Commissioner Dean moved, seconded by Commissioner Bailey, to approve and authorize Commissioner President Jarboe to sign the referenced Budget Amendments. Motion carried.



3) CORRESPONDENCE TO LEGISLATORS  
AGRICULTURAL COMMISSION

The County Administrator presented correspondence addressed to the Legislative Delegation requesting assistance in having state-wide initiatives implemented which would increase the economic well-being of the farming communities of Maryland.

Commissioner Dean moved, seconded by Commissioner Bailey, to sign and forward said letter. Motion carried.

4) AMENDMENT TO SEPTEMBER 23, 1986 MINUTES

The County Administrator advised that on Page of the September 23 meetings reference is made to authorize Commissioner President Aud to sign the Deed accepting certain roads in Country Lakes Subdivision. A motion is needed to correct the minutes to read to authorize Commissioner President Jarboe to sign the Deed.

Commissioner Dean moved, seconded by Commissioner Bailey, to correct the minutes as set forth above. Motion carried.

5) PROPOSED ETHICS ORDINANCE AMENDMENTS

The County Administrator advised that Mr. O'Donnell of the State Ethics Commission had informed him that the State does not have any problem with the proposed amendments being contemplated for the County's Ethics Ordinance. Counties using the long form have included the provision in their Ordinance, and St. Mary's County has used the long form.

The County Administrator presented copies of the proposed Ordinance to the Board for review prior to the public hearing that will be conducted next week.

Commissioner Jarboe requested that the proposed Ordinance include language he had suggested last week providing that a public official must submit the conflict in writing to the County Ethics Commission for a decision whether the official can vote.

6) HOMELESS SERVICES PROGRAM GRANT

The County Administrator advised that the County had previously applied for the referenced grant which is administered by the Department of Social Services. The County has received correspondence that the amount has been amended downwards and therefore the budget needed to be amended downwards. The Director of Social Services has done so and has now resubmitted the grant Application for approval by the Board.

Commissioner Dean moved, seconded by Commissioner Bailey, to approve and sign the amended Homeless Services Program Grant Application as presented. Motion carried.

7) PERSONNEL

The County Administrator presented a memorandum dated October 30, 1986 from the Personnel Officer advised that the Director of Economic & Community Development has requested that Elmer Brown's appointment be changed from temporary part-time to a full-time contract appointment. This position is funded by Section 23 grant funds.

Commissioner Bailey moved, seconded by Commissioner Sayre, to grant this request. Motion carried.



8) TALL TIMBERS BULKHEAD PROJECT

Commissioner Jarboe stated that he received a call from a representative of the Army Corps of Engineers requesting that St. Mary's County forward the amount of \$116,829.51 for the referenced project. Mr. Cox stated that there has been discussion regarding a contingency amount of \$45,000 and what is being covered by that. This information has not been received from the Corps, and therefore, the County Administrator recommended that the County deduct the \$45,000 from the amount due and hold it until the Corps submits documentation as to what that amount is being spent for.

Commissioner Dean moved, seconded by Commissioner Bailey, to remit the funds less the \$45,000, subject to a Budget Amendment identifying. Motion carried.

Later in the meeting Mr. Cox advised that the Corps of Engineers was agreeable to the deduction and that the project would proceed without delay.

9) ST. MARY'S NURSING CENTER  
REQUEST FOR USED VEHICLE

The County Administrator presented correspondence from the Nursing Center dated October 21, 1986 requesting one of the Sheriff's Departments disposed vehicles in order to help meet the nursing center's transportation needs. Mr. Cox stated that if the Board is agreeable, it could be awarded and it would be the nursing home's responsibility for refurbishing and maintenance of the vehicle.

Commissioner Sayre moved, seconded by Commissioner Bailey, to award the used Sheriff's Department vehicle to the Nursing Center. Motion carried.

10) SOUTHERN MARYLAND LIBRARY RESOURCE CENTER

The County Administrator advised that and Commissioner Bailey, the Public Works Director and he met with Charlotte Hall Veterans Home Commission representatives and obtained the approval to use the lagoon system for the Library Resource Center subject to certain technical conditions which will be submitted to the Board in writing. The Department of Public Works will handle this, and the County will proceed to bid the project and amend it as necessary after awarding the bid.

11) TRANSPORTATION FUND

The County Administrator advised that the Commissioners need to define the particular issues prior to having a public hearing on the Transportation Fund. The Commissioners agreed to set Tuesday, November 18 at 7:30 p.m. as the tentative date for the public meeting.

12) CORRESPONDENCE TO DEPARTMENT OF TRANSPORTATION

As had been previously discussed, the Commissioner agreed to sign and forward correspondence to the Department of Transportation setting forth additional items for consideration for the Consolidated Transportation Plan as well as other special projects.

13) REFUNDING BONDS - HOSPITAL AND METROPOLITAN COMMISSION

Mr. Cox presented a memorandum from the Budget Director recommending that the County Administrator be appointed as hearing officer for the required public hearing relative to the refunding bonds for St. Mary's Hospital and the Metropolitan Commission. The hearing, which will be held on November 15, is in compliance with the new tax reform law. The Commissioners concurred.



14) ST. MARY'S COUNTY AIRPORT  
FIXED BASE OPERATOR - PERFORMANCE BOND

The County Administrator advised that the Chairman of the Airport Commission has recommended accepting a \$25,000 performance bond from the Fixed Base Operator, Atlantic Aero, instead of the full \$50,000 because of the \$30,000 worth of improvements at the Airport and the difficulty in obtaining the bond.

Therefore, Mr. Cox presented correspondence for the Commissioners' signatures addressed to Atlantic Aero advising that the Commissioners agree with the waiver of one-half of the \$50,000 performance bond.

Commissioner Dean moved, seconded by Commissioner Bailey, to send the letter as presented. Motion carried.

15) BOARD OF EDUCATION FINANCIAL CONDITION

The County Administrator presented a memorandum from the Budget Director regarding a reduction in fund equity relative to the Board of Education caused by compensated absences of employees. The memorandum further indicates that the Board of Education expended more funds than available in FY'87 both of which has resulted in a deficit position as of June 30, 1986.

In recognition of the Board of Education deficit as of June 30, 1986, the Board of County Commissioners agreed to designate \$426,393 of the County's fund balance to cover the Board of Education fund deficit.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss a matter of Personnel. The Session was held from 9:50 a.m. to 10:10 a.m.

OFFICE OF PLANNING & ZONING  
DECISION/DISCUSSION

10:00 A.M.

Commissioners present: J. Patrick Jarboe, President, David Sayre, W. Edward Bailey, and Ford Dean. Commissioner Millison was absent. Staff present included: Frank J. Gerred, Director, and Anita M. Meridith, Recording Secretary, Office of Planning and Zoning.

Members of the audience included: Mary L. Janson, Orvin L. Wilhite, Mary E. Wilhite, John Horton, Elinor Cofer, John Pleisse, Mike Gray, Robert Jarboe, Charlotte C. Young, Charles A. Young, Louis B. Mattingly, John W. Quade, Jr., Keith A. Allstonn, Barbara Allston, Ted Greer, Fredric B. Lauterbach, Louis P. Eberle, Bert Abell, David M. Jenkins, Patrick O'Donnell, Grace Horton, Karen Abrams.

ZPUD # 86-1058: FIRST TIDEWATER PROJECT

Requesting rezoning of 79.9 acres from R-2 to PD-CP, Planned Development - Commercial Park (27.6 acres) and PDR 5.0, Planned Development Residential (52.3) acres. The property is the southeast corner of the intersection of Maryland Route 235 and Old Rolling Road; shown on Tax Map 34, Block 23 as Parcel 99.

The Board having conducted a public hearing on this application on October 21, 1986, took up deliberation of the pending matter.



NOTE: Commissioner Bailey noted that while he was familiar with the particulars of this case, having availed himself with the facts of the matter via the minutes and other documentation, he chose to abstain from participation.

A large plat of the subject site was displayed and the members paused to consider the aspects of this case formerly presented.

Commissioner Dean led the discussion, noting that he felt that it was in the County's interest to effect and incorporate the extension of Barefoot Drive as part of the Lexington Park Transportation Plan. In recalling the Planning Commission's recommendation with regard to this matter, an approval, based on several contingencies, i.e. improvement of Old Rolling Road to three lanes and extension of Barefoot Drive, Commissioner Dean asked Mr. Pleisse, representing counsel, whether the applicant was amendable to an approval, contingent upon those two conditions. Mr. Pleisse responded, "We concur, it's our understanding they recommend approval with the two conditions, that there be a by-pass lane on the outside, up here at Barefoot Lane with Barefoot Drive and that the applicant construct a three lane reconfiguration of Old Rolling Road at Route 235 back as far as this first entrance road, which is unnamed on the plat and we think that's appropriate and we're certainly willing to do that."

Mr. Pleisse emphasized that one very important aspect of this rezoning, which had been amended, was that Barefoot Drive was originally slated to connect to Chancellor's Run Road traversing in front of the residential area, which would have caused considerable County expense. That portion of the road has been realigned through the adjacent development, connecting to that portion of the roadway being constructed from Chancellor's Run Road (noted visually on the plat). Mr. Gerred commented that this realignment was certainly an enhancement of the project and just "good planning."

Commissioner Jarboe entertained motion, whereupon Commissioner Dean moved, seconded by Commissioner Sayre and unanimously passed, to instruct the Assistant County Attorney to prepare the appropriate resolution approving the rezoning and the development plan, in conjunction with the conditions and requirements as set forth and recommended by staff and the Planning Commission,

NOTE: As noted previously, Commissioner Bailey did not participate nor act in this matter.

10:30 A.M.

CONTINUATION OF JOINT HEARING HELD BY THE ST. MARY'S COUNTY BOARD OF COUNTY COMMISSIONERS AND THE ST. MARY' COUNTY PLANNING COMMISSION - FROM OCTOBER 21, 1986

Commissioners present: J. Patrick Jarboe, President, Commissioners: Ford L. Dean, David Sayre and W. Edward Bailey. Planning Commission member Hope Swann was in attendance. Staff present included: Frank J. Gerred, Director, Jeffrey Jackman, Land Use Planner, and Anita M. Meridith, Recording Secretary, Office of Planning and Zoning.

SPEC # 86-1543: INTERIM CRITICAL AREAS CRITERIA

This proposal establishes temporary Development Standards within the Initial Planning Areas established by the Chesapeake Bay Critical Areas Act. The Initial Planning Area is 1,000 ft. landward from any tidal waters or wetlands.



The proposed temporary standards would treat all land in the Initial Planning Area as a Resource Conservation Area, as defined in the Critical Areas regulations. Generally, the standards would allow land within the 1,000 ft. planning area to be developed at a density of 1 house per 20 acres. However, there are provisions to allow land transfers to family members at a greater density and existing vacant parcels of land are not to be prohibited from building a house, regardless of the size of the parcel.

These interim standards are expected to be in effect for one year or less. Copies of the proposal are available from the Office of Planning and Zoning, 2nd Floor, Governmental Center in Leonardtown, prior to the hearing.

Commissioner Jarboe commented that this was a continuation of the public hearing held on October 21, 1986, the Board having previously noted that the matter was to be readvertised, offering yet further public notice and allowance of additional public input. Mr. Gerred added that a display ad was published in both The Tide and "Enterprise" Newspapers, offering the full text of the proposed regulations.

Mr. Gerred felt that it would be appropriate at this point, to advise the Board of the major concerns received by staff since the initial hearing concerning the proposed regulations. He advised that the primary concern involved one's basic rights to use existing lots. He explained that the regulations were, in fact, so constructed, that existing lots were not impacted by the proposed interim regulations. Staff further advised that in the eventual regulations, the criteria required that the County address the issue of contiguous ownership of acreage of less than 20 acres, which was not addressed nor dealt with in the proposed interim regulations. Mr. Gerred furthered that another concern voiced by several individuals concerned the status of those applications which had received approvals and those which had not received approval, but had been submitted and were caught somewhere in the middle.

Commissioner Jarboe emphasized that the Board was not encumbered with the question of whether or not the Critical Areas Regulations were to be accepted, as that was a matter which had been decided through adoption of the legislature, but rather was a proposal of whether or not the County should adopt an interim measure from a date specific until the adoption of the Comprehensive Plan, which would include a plan for the 1,000 ft. set-back. Commissioner Jarboe entertained public comment and urged that all commentary be channeled appropriately.

Commissioner Dean distributed copies of a paper which he explained incorporated his opinion on the "wisdom and appropriateness of the Chesapeake Bay Critical Areas legislation and regulations." Commissioner Dean reiterated Commissioner Jarboe's observation, that the question was not one of adoption of the regulations, but whether or not the County should adopt an interim policy. He reflected that there were two choices, to do nothings or to adopt an interim policy. If the latter alternative is chose, then the County must consider a specific interim policy and determine what would be an "equitable basis for allocating the 5% reserve that would be consistent with proper planning guidelines." Commissioner Dean urged that while he would support those recommendations as proffered by the Planning and Zoning staff and the Planning Commission, he would suggest two modifications, i.e.

1. That areas currently zoned Commercial Marine be exempt.



2. That those developments within the 1,000 foot Critical Area be exempt if they have received from the County as of October 28, 1986 either concept, preliminary, or record plat approval.

Mr. Gerred entered into the record, correspondence received this date from the Law firm of Kenney, Kamnetz and Lacer, addressed to the Board of County Commissioners for St. Mary's County, on behalf of the Point Lookout Marina, regarding the subject proposal. Mr. Gerred read said statement aloud into the record, which alleged that the "proposal before the County Commissioners to immediately rezone that land area determined by the General Assembly to be the Critical Area is inappropriate as now written. The effect would be an immediate downzoning of all properties within the designated area notwithstanding the nature of the property or the use to which it is being placed. For example, all commercial and industrial marine land would be downzoned and all marinas and related commercial facilities would immediately become nonconforming uses. Land areas that in no logical way could or should be considered as potential Resource Conservation Areas are being so designated. Approved Subdivision and Development Plans for Planned Developments may be affected unless the proposal is modified. The proposal is not presented as a euclidian zone change based on change in the neighborhood or mistake. Thus, it is either a moratorium or an attempt at a comprehensive rezoning. Assuming it is the latter, it in no way meets the established criteria for a comprehensive rezoning in that there has been no careful and extensive study, no massive citizen participation and no extensive consideration of restraints imposed by traditional infrastructure concerns and environmental factors. These are the very requirements mandated by the Critical Area legislation which is the stated reason for the proposal. The County, as have other jurisdictions, is setting out to do what is legislatively and legally required for such a decision by the study and adoptions of a new comprehensive plan and the related land use controls. Projects now in various stages of review and processs have had to address Critical Area concerns including an environmental review. For a major project this is no small expense. There is no indication that they are being considered in the rezoning. Some projects have been ongoing procedurally for some time. Many financial obligations have been incurred based on compliance with the law applicable to the project at the time. Certainly these projects should be permitted to proceed so long as they follow plans designed to minimize the negative aspects of development. There certainly must be a better and more fair way to preserve Resourcew Conservation Areas and the 5% development allocation of the County than the blanket rezoning now being suggested. The County has an obligation to the Critical Area legislation, but a hasty action of this nature may do more harm than good to the Bay initiative programs and at the same time jeopardize many projects to the detriment of both individual landowners and the County. Therefore, I urge this Board not to adopt even an interim ordinance in the form now before you."

Having read the aforementioned correspondence, Commissioner Jarboe questioned whether the issue of the legality of the proposal being considered as a comprehensive rezoning held any merit. Mr. Gerred responded that staff recommended that the proposed interim policy be considered as emergency legislation in terms of a partial moratorium, as opposed to a comprehensive zoning. Mr. Gerred noted that he had discussed the issue fully with the County Attorney, who agreed that indeed, it was posed as emergency legislation.

Mrs. Elinor Cofer, President of St. Mary's Friends of the Chesapeake, addressed Mr. Gerred and posed the question of whether a three acre unperked platted parcel, located on a creek, would be a candidate for development, under the proposed regulations. Mr. Gerred responded affirmatively. Mrs. Cofer urged, "Well, I would say that's a reasonable program that you're recommending, interim restrictions rather than a total moratorium." Later in the proceedings, after being advised that there was a single undeveloped commercial marina located in close proximity to her residence, Mrs. Cofer withdrew her support of Mr. Dean's proposal which would exempt commercial marinas.



Mr. John Horton of Hollywood, Maryland, stated that he was one of some fifty individuals currently serving on the Citizens Advisory Committee with regard to update of the County's Comprehensive Land Use Plan, and as such, he wished to convey his observation that "any of this decision, except for the moratorium on shoreline development would make our whole exercise, which extends into next year, somewhat of a farce, because a decision would have been made now that would have a definite impact on the Comprehensive Plan to be decided on by the Commissioners sometime next year." Speaking on behalf of the Southern Maryland Audubon Society, Mr. Horton favored the implementation of the interim moratorium. Mr. Horton suggested that Commissioner Dean expand somewhat on his two proffered modifications, set forth in his position paper.

Commissioner Dean noted that the extent and the amount of Commercial Marine in the County was not large and he did not envision that a developed marina would be designated as a Resource Conservation Area once the Critical Area Plan was adopted. Thus, he reflected that an exemption of those areas currently zoned Commercial Marine would not impact the overall shoreline development. On the other hand, however, if the moratorium was adopted and made applicable to commercial marinas, it could have a major impact on those operations. With regard to his second modification (those plans having already received some level of County approval), Commissioner Dean explained that he was of the opinion that if the County had granted certain approvals to developments, the applicant's having made certain investment to that point, that they should not be included. Mr. Gerred affirmed that no major projects had received approval within the last year that would impact the 5%, however, there were two projects pending.

Mrs. Mary Whetstine, President of the St. Mary's Tax Payers Association, spoke in favor of the moratorium and emphasized that it was paramount that the Citizens Advisory Committee have the opportunity to review these proposals to assure that they would be compatible with the total land use package currently being developed for the County.

Mr. Charles Young spoke to Commissioner Dean's suggestion that CM designations be exempt from the proposed interim regulations, urging that the Commercial Marine concept had already been given sufficient exemption by the legislation which enacted the Critical Areas and thus, he did not feel that they should have a special exemption, but should "fall under the moratorium, along with the others, if they have not met the criteria."

Mr. Gerred commented that while it was true that commercial marinas had received favorable treatment under the Critical Area Criteria, he nevertheless tended to agree with Commissioner Dean's proposed exemption, that existing commercial marinas should not be impacted insofar as further growth for the next year. He urged that the majority of commercially zoned marinas in the county were developed and such a moratorium would prohibit, for example, expansion of the existing facilities, which was not the intention behind the proposed regulations.

Mrs. Mary L. Janson asked how those projects previously mentioned, would be affected (Lundeberg/Lauderbach property). Commissioner Dean responded that they did not meet the test and therefore would not be exempt, but were subject to the limited moratorium. Mrs. Janson felt that it would be "fairer to have an across the board moratorium." Commissioner Dean responded that he felt that it would be unfair to change the rules in the middle of the stream by requiring those submittals which had already received record plat approval to be subject to this moratorium. County Administrator, Edward Cox, urged that a definition of terms might offer better understanding of the proposal and emphasized that a record plat was not a plat submitted, but rather a plat approved. Commissioner Dean elaborated further, explaining that under his suggestion, any project located within the Critical Area, that had obtained at least- concept approval, would be allowed to move forward.



Mr. Robert F. Koch, identified himself as representative of the Lauderbach property (CSUB # 86-1664: SEPTEMBER POINT), one of the two developments identified as having been previously submitted and "caught in the middle of the pipeline." He spoke at length to that development and urged the County to bestow this project with an "exempt status" based on the fact that "huge amounts of money" had been invested in this project which included in-depth professional planning, which he felt qualified this project as a preliminary plan as opposed to simple concept submittal. Mr. Couch felt that the County should include other similar projects for exemption, those which did not impact the 5% RCA.

Mr. Herbert N. Redmond of the D. H. Steffens Company, stated that he supported many of the points contained in correspondence previously submitted into the record by Mr. James Kenney. Mr. Redmond reflected that he was currently involved with several projects and in working with the Department of Public Works and other applicable agencies, several of those projects required environmental analysis, etc. and were not submitted as concept as they felt that the plan went beyond a simple preliminary plan. Mr. Redmond urged the Commissioners to consider the status of those types of projects, be they large or small.

Elizabeth Reeves suggested that the County consider a "easing-in period" where property owners would be given a specific time frame to submit notice of intent to subdivide or develop property. She felt that this would afford those individuals who planned to develop property, certain considerations. She also suggested that the 5% RCA be equally distributed throughout the voting districts in the county which would insure that no one area be developed over another area.

Mr. Louis Eberle asked Mr. Couch how much of his "alleged large sums of development monies" had been invested to protect the environment on his project. The Chair commented that said question was irrelevant to these proceedings and urged that all commentary be channeled toward the pertinent issue at hand.

Mr. John W. Quade commented that there were many properties throughout the County that would not pass percolation, which were already platted. He commented that he felt that a provision should be written into the proposal which would allow for the transfer of properties. Commissioner Sayre concurred and noted that the majority of properties on St. George's Island fell into that same category. Mr. Gerred noted that this was an issue which would be considered by the Citizens Advisory Committee, the Planning Commission and the Board of County Commissioners during the comprehensive process. He urged that the issue of transfer rights was most complicated and was one which would require much more consideration than could be given during this interim period for partial moratorium and was the reason why such provision was not addressed, though the Critical Area Criteria did allow for transfer of development rights.

The Chair reemphasized at this point, that these proceedings were a joint hearing of the Planning Commission and Board of County Commissioners. Accordingly, the Commissioners would await the recommendation of the Planning Commission, prior to rendering any decision on the matter.

Ms. Karen Abrams, Attorney-At-Law, reflected that one of the criteria for waterfront development was that a Critical Area Analysis be conducted, which required professional services of an environmental biologist/scientific expertise. She urged that the County should consider the investment made by applicants for these studies and the realization that such analysis would ultimately improve the County.

Mrs. Grace Haxton voiced concern with the effects that such criteria would pose on future generations insofar as future development.



An unidentified gentleman urged that the County's primary concern and goal should be the preservation of the environment. He urged, "I don't think we should make exceptions and weaken the rules that we have already accepted."

In response to question posed by Mr. Robert Jarboe, Mr. Gerred provided that the criteria must be adopted by State Rules as of August of '87, thus the proposed interim moratorium would be in effect for approximately eleven months.

Mrs. Ingrid Hebb opposed the moratorium, stating that such an action would in effect be denying use of one's property without compensation. She urged that while she was not opposed to protection of the bay and the environment, she urged that St. Mary's County should not be expected to "carry the bulk of a load" as there was a major pollution problem caused by the State of Virginia and Anne Arundel, Baltimore and Howard Counties via sewage pollution of the bay. Mrs. Hebb urged, "There has to be a way to have these other people pay for the expenses that the County of St. Mary's is going to have to accept, a loss...all of the shoreline of St. Mary's County is virtually being condemned." Mrs. Hebb felt that a 1,000 ft. set-back would in effect, be pricing waterfront property out of the immediate market and "the only people that will gain will be the major developers..." Commissioner Dean addressed Mrs. Hebb and noted that the majority of the issues which she had addressed were not relevant to the Board of County Commissioners but rather were directed at whether or not the Chesapeake Bay Critical Areas Legislation was appropriate. He urged that those issues had already been determined by the General Assembly of Maryland and were the law of the land. Commissioner Dean felt that the County had no alternative but to impose a partial moratorium until such time as the Critical Area Plan was in place. He urged that he felt that it was incumbent upon the County, in fairness to all of its citizens who owned land within the critical area, to have in place, an equitable means, consistent with proper planning guidelines for the allocation of the 5% reserve. Commissioner Dean emphasized, "If we do not adopt this moratorium and let people submit the plans, as they will, at the end of a year, there won't be any 5% reserve, it will all be gone."

Mr. Patrick O'Donnell supported a total moratorium without the proposed exemptions as proposed and outlined by Commissioner Dean. Mr. O'Donnell urged that the "bottom line" issue was the "condition of the bay" and preservation of the environment. Mr. O'Donnell stated, "We all have to sacrifice a little...it won't be of use, the bay, to any of us, unless we don't all sacrifice, some a little more than others."

Hearing no further testimony, the public hearing was closed, the Chairman noting that the matter would be considered by the Planning Commission, with recommendation being forwarded from that body to the Board of County Commissioners, who would render final decision within the next several weeks.

DEPARTMENT OF RECREATION AND PARKS  
ST. CLEMENTS ISLAND-POTOMAC MUSEUM GRANT

Present: John V. Baggett, Director

Mr. Baggett presented a Grant Application for the St. Clements Potomac Museum to be submitted to the Institute of Museum Services requesting \$9,414. The grant will be used to hire a part-time fund raiser for one year. IMS funds will be used as seed money to generate funds from the private sector.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Jarboe to sign the grant application. Motion carried.



4) EXECUTIVE SESSION

Present: John Norris, Director, DPW

Commissioner Bailey moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matters of litigation and land acquisition. Motion carried. The Session was held from 1:20 p.m. to 2:15 p.m.

NURSING SHORTAGE CONCERNS

Present: George Smith, Director, St. Mary's Nursing Home  
Peter Lambert, Administrator, St. Mary's Hospital  
Joan Miller, Director of Nursing, "  
Mike Marlay, President, St. Mary's Hospital Board  
Viola Gardner, "  
Will Dohrman, St. Mary's Public Schools  
John Ryan, "  
Ann Muth, Charles County Community College

The referenced individuals appeared before the Commissioners to discuss the nursing shortage problem in St. Mary's County. During the discussion several possible solutions were discussed, principally among which are:

- a) Establishment of a Charles County Community College Nursing Program in St. Mary's County so that nursing students will not have the handicap of having to travel to Charles County.
- b) Better advertisement of available scholarships for nursing students.
- c) Continued analysis of the needs in health care facilities for LPN, RN, and BSN so that better career choices can be made.
- d) Have continued discussion concerning increase in compensation for the nursing profession in order to attract more career choices.

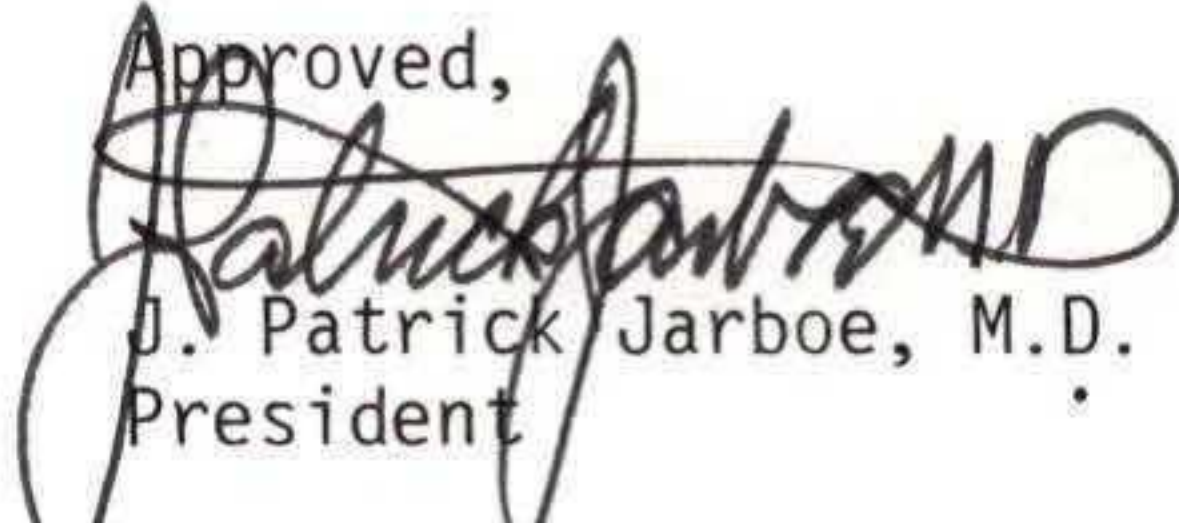
During discussion of the above alternatives the group agreed to meet again and further discuss possible solutions to the shortage of nurses. The Commissioners requested that the Community College to submit a proposal to bring the LPN and/or RN program to St. Mary's County.

OFFICE ON AGING VEHICLES

As a follow up to last week's discussion, the Commissioners agreed to advise Mrs. McGaharn that she can purchase the handicapped van contingent upon available grant funds. However, with regard to the bus for the transportation system, the Commissioners directed that Mrs. McGaharn rent a bus for a four-month period for the southern part of the County as had been previously stated, and that if this cannot be accomplished that that line be discontinued.

ADJOURNMENT

The meeting adjourned at 3:15 p.m.

Approved,  
  
J. Patrick Jarboe, M.D.  
President