

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, November 17, 1987

Present: Commissioner W. Edward Bailey, Vice-President  
Commissioner Robert Jarboe  
Commissioner Rodney Thompson  
Judith A. Spalding, Recording Secretary

(Commissioner President Loffler and County Administrator Cox were at the Emergency Plan Exercise (Calvex '87) at the Control Center.)

(Commissioner Lancaster was not present.)

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, November 10, 1987. Motion carried.

APPROVAL OF BILLS

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve payment of the bills as presented. Motion carried.

SECRETARY OF STATE REPRESENTATIVE

Present: Vonzelle Ward

Mr. Ward, on behalf of the Secretary of State, appeared before the Commissioners to offer that office's assistance with legislative and other matters needing to be addressed by the County. He stated that Governor Schaefer has established an Intergovernmental Relations Office in the Office of the Secretary of State and staff is available for research and to get answers for the jurisdictions.

In conclusion thanked Mr. Ward for offering assistance to St. Mary's County and stated they would be in contact with him.

COUNTY ADMINISTRATOR ITEMS

1) BUDGET AMENDMENTS

a) No. 88-25  
Office of Community Services

To transfer funds (\$196) to cover charges for July - November for the telephone system for the Human Relations Commission.

Commissioner Thompson moved, seconded by Commissioner Jarboe to approve the Budget Amendment as presented. Motion carried.

b) No. 88-26  
State's Attorney

To provide funds for unplanned extradition-related expenditures incurred by Maryland State Police (\$8,190)

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the Budget Amendment as presented. Motion carried.

2) PERSONNEL

a) Position Reclassification Request  
Department of Recreation and Park

Memorandum dated November 9, 1987 from Personnel Office advising that the Director of Recreation and Parks has requested a reclassification of the current Secretary II, Grade 7 position. Mr. Baggett has requested that the position be advertised as a Secretary II, Grade 7 with promotion potential to the Office Supervisor II, Grade 8 position.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve this request. Motion carried.

b) Temporary Promotion  
Recreation and Parks

Memorandum dated November 6, 1987 from Personnel office recommending the temporary promotion of Karen M. Settle to Secretary II, Grade 7 until the vacancy created by the transfer of Linda Delozier is filled.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve this request. Motion carried.

BOARD OF EDUCATION  
CAPITAL IMPROVEMENT PROGRAM - FY 1989

Present: Dennis Younkin, Director, Administrative & Fiscal Services  
Jerry Himmelhaber, Director, School Construction Program

The referenced individuals appeared before the Commissioners to present the Capital Improvement Program for FY 1989 - 1994, which had been submitted to the Interagency Committee for School Construction for administrative review and now required Board of County Commissioner approval.

Messrs. Younkin and Himmelhaber reviewed each of the capital projects in the Program and explained the Projected Local Costs for the FY '89 Construction Program.

In conclusion the Commissioners agreed to defer a decision on the Program and the signing of the Resolution until next week's meeting.

OFFICE OF PLANNING AND ZONING

Present: Robin Guyther, Planner, OPZ  
Betsy Anthony, Recording Secretary

Commissioners present: W. Edward Bailey, Robert Jarboe, and Rodney Thompson. Staff present included: Robin Guyther, Planner, and Betsy Anthony, Recording Secretary.

Members of the audience included: Viki Volk, Vince DelGavio, Serita A. McFarling, Richard G. Portee, Louis Eberle, Jamie Newton, Judy Landau, and Dick Myers.

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in "The Enterprise" Newspaper on October 28, 1987 and November 4, 1987, a publication of county-wide circulation, providing legal notice for the following public hearing(s):

ZONE # 87-0435: J. L. MILLISON (Fox Lumber Company)

The applicant is requesting rezoning from I-1, Industrial to C-2, Commercial. The property contains 20.9 acres and is located on the west side of Md. Rt. 5 in Mechanicsville, in the Fifth Election District, and is shown on Tax Map 9, Block 21, as Part of Parcel 56.

Mr. Michael Harris, legal representative for

Mr. Michael Harris, legal representative for the applicant, entered into evidence, as Applicant's Exhibit No. 1, postal receipts from the certified letters of notification sent to all contiguous property owners, providing legal advisement of the public hearing. Mr. Harris stated that the placard had been posted on October 31, 1987. Mr. Harris explained that the property was now zoned I-1 and that the applicant was seeking to change it to C-2. He indicated that this was considered to be a down zoning and the burden on the applicant would be less. The property had been zoned Industrial since 1979.

Mr. Dave Jenkins, a Land Planner for D. H. Steffens, explained that he was familiar with the site and used a series of tax maps to outline the neighborhood. He explained that several of the companies in the area had been rezoned in the last ten years including the Wonder Bread which was rezoned from AR to C-2 in April, 1983, and Burch Oil which was rezoned in 1986 from AR to C-2. Mr. Jenkins indicated that the property was located in the Fifth Election District; that since 1980 there had been a 5½% increase in population. He informed the Commissioners that the property was designated W6 and S6 (no planned water/sewer) with regard to water and sewer (Comprehensive Water and Sewer Plan). He explained that the property had 1800 feet of frontage on new Route 5 and at that point was a dual lane highway.

Commissioner Bailey inquired as to what the difference would be with a C-2 zoning instead of I-1. Mr. Harris explained that I-1 zonings were oriented with the manufacturing of a product, and a C-2 zoning was more for the selling of the manufactured product.

Mr. Guyther informed the Commissioners that the Planning Commission was unanimous in their recommendation to the Commissioners with one condition: that they limit one access on old Route 5 and one access to new Route 5.

Commissioner Bailey inquired whether anyone present wished to speak either in favor or opposed to this request.

Mr. Guyther explained the reasoning behind the Planning Commission recommending the rezoning was that it was in a location that was the gateway to the county. They were afraid that something bad would be constructed on the site if it was not rezoned.

The Commissioners will leave the record for ten days after which they will make a final decision.

#### HUMAN RELATIONS COMMISSION

Present: Richard Portee, Chairman  
Serita McFarling

The referenced representatives of the Human Relations Commission appeared before the Commissioners to update the Board on the activities of the Commission and to request assistance.

Mr. Portee began by giving th history of the Commission and reviewing the types of cases handled by the Commission and the progress being made.

Ms. McFarling pointed out that the State has indicated that the St. Mary's County Human Relations Commission is one of the most active Commissions in the State. She further reported that the Commission is advocate for all persons and is aligned with what is fair and what is right. The Commission is limited to problems of discrimination, and once the problem is identified conciliatory measures are taken in dealing with the complainant and the respondent. The majority of complaints involve employment situations and the next are tenant/landlord complaints.

In summary Ms. McFarling indicated that the Commission requests consideration of the following:

1. Appointment of members to fill vacancies (The Commission conducts an interview process prior to submitting names to the Commissioners, which has been accomplished)
2. Adoption of By-Laws which have been previously submitted to the Board.
3. Adequate space for meeting with clients.
4. A paid executive position, which will be submitted in the upcoming budget.

The Commissioners thank the Human Relations Commission representatives for their presentation and indicated consideration would be given to the requests.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

- 1) ROAD RESOLUTION R 87-40  
KNOTLEY/NOTLEY ROAD

Mr. Norris presented Road Resolution No. R87-40 correcting the spelling of Knotley Road to Notley Road in the Fourth Election District.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Bailey to sign the Resolution as presented. Motion carried.

- 2) DELLABROOK ROAD BRIDGE REHABILITATION

Mr. Norris submitted a proposal for the design and preparation of sketches for the referenced project in the amount of \$2,550 from The Wilson T. Ballard Company, the firm that had done the original analysis of the project.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to accept the proposal from The Wilson T. Ballard Company in the amount of \$2,550 as presented. Motion carried.

- 3) PROJECT NO. SM 88-2-3  
MATERIAL PURCHASE - ROCK SALT

Mr. Norris presented the bid tally sheet for the referenced project and recommended that it be awarded to the lowest bidder, Cargill Salt Division in the amount of \$31.22.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to award the bid as recommended.

- 4) SNOW REMOVAL PROGRAM

Mr. Norris reported that \$71,000 had been budgeted for snow removal and approximately \$16,000 had been spent on the first snowfall - November 11.

- 5) BID TALLY SHEET  
ONE TON CARGO VAN

Mr. Norris presented the bid tally sheet for the purchase of the referenced vehicle to replace the vehicle that was totalled in a traffic accident and advised that the lowest bidder was Bell Motor Company in the amount of \$15,284.61. Mr. Norris indicated that the 1972 van was also in need of replacement and requested authorization to purchase two vans at bid price.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to award the bid for the purchase of two vans to Bell Motor Company in the amount of \$15,284.61 each. Motion carried.

- 6) BID TALLY SHEET  
PROJECT NO. SM 88-5-1  
PASSENGER VAN

Mr. Norris presented the bid tally sheet for the purchase of the referenced vehicle and recommended awarding the bid to the lowest bidder, McKay Implement, in the amount of \$14,552.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to accept Mr. Norris' recommendation. Motion carried.

COUNTY COMMISSIONERS' TIME

- 1) WICOMICO-ZEKIAH LOCAL SCENIC RIVER ADVISORY BOARD

Commissioner Jarboe suggested that the Commissioners be prepared to submit nominations to the referenced Board to the Maryland Department of Natural Resources as requested in correspondence dated October 19.

- 2) MARYLAND ASSOCIATION OF COUNTIES  
LEGISLATIVE COMMITTEE

The Commissioners agreed that Commissioner Jarboe would serve as member of the MACo Legislative Committee and Commissioner Bailey would be the alternate.

EXECUTIVE SESSION

Present: John Norris, Director, DPW

Commissioner Thompson moved, seconded by Commissioner Jarboe, to meet in Executive Session in order to discuss a matter of Property Acquisition. Motion carried. The Session was held from 11:10 a.m. to 12:30 p.m.

ADJOURNMENT

The meeting adjourned at 12:30 p.m.

MEETING WITH COMMANDING OFFICER - NAS

At this time Commissioners Bailey, Jarboe and Lancaster met with Capt. Fitrell at the Naval Air Station.

APPROVED,

  
Carl M. Loffler, Jr.,  
President