

October 25, 1968

Present: Mr. F. Elliott Burch  
Mr. J. Wilmer Bowles  
Mr. George R. Aud

Foreign Trade Zone

The Commissioners, on October 25, 1968 at 9:00 a.m. met in executive session with the State Senator, Paul J. Bailey, the two Delegates, Mr. Henry J. Fowler and Mr. J.H. Briscoe, Mr. John Mills of Tri-County Council, Mr. David Gruber, the County Auditor and Oliver R. Guyther, attorney. The purpose of the meeting was to discuss the application or proposal of the Steuart Petroleum Company for approval of the Commissioners to construct a topping plant within a Foreign Trade Zone at Piney Point.

Following a full discussion by those present, the Commissioners adjourned the executive session and went into a special meeting for the purpose of voting on the Steuart proposal and issuing any press statements in connection with the voting.

Mr. Aud made a motion that the County Commissioners approve the Steuart proposal. The Chairman, Mr. Burch, asked for seconds to the motion. The chair ruled if there was no second to the motion, the motion died for lack of a second.

Mr. Aud made a motion that the Commissioners put this issue on the ballot to let the people decide whether they want this industrial project or not. The legal counsel advised the Commissioners that this was not within their jurisdiction.

Mr. Burch made a motion that the Commissioners reject and disapprove the application of Steuart for the Foreign Trade Zone and topping plant at Piney Point. Mr. Bowles seconded the motion and the chair called for a vote. Mr. Bowles and Mr. Burch voted same and Mr. Aud voted against.

Steuart's application for four building permits was then considered. After a lengthy discussion of the situation and advice from counsel, Mr. Aud made a motion that the Commissioners approve the issuance of the building permits to Steuart Petroleum Company. The Chairman asked for seconds to the motion. The chair ruled if there was no second to the motion, the motion died for lack of a second. Mr. Bowles made a motion that the Commissioners disapprove of the Steuart Petroleum applications for four building permits. Mr. Burch seconded the motion and the motion passed with Mr. Aud voting against it. The attorney was directed to write the applicant, Steuart, and notify him of the Commissioners disapproval. A copy of the letter setting forth reasons for disapproval is to be placed with the minutes.

The County Commissioners  
of St. Mary's County



St. Mary's County  
1637

F. Efflott Burch  
President  
J. Wilmer Bowles  
George R. Aud

Post Office Box 351

Leonardtown, Maryland 20650

Telephone 475-9124

October 25, 1968

L. P. Stewart Petroleum Company  
Piney Point, Maryland 20674

Attention: Mr. Dudley

Dear Mr. Dudley:

The St. Mary's County Commissioners wish to advise you that they are denying your application for the issuance of the four building permits you applied for on October 7, 1968, for the construction of a 22' x 50' utility building; an 8' x 12' security building; a 70' x 120' shop building; and a 70' x 150' office building; all of which you proposed to construct on the 168 acre parcel owned by Stewart Investment Company in the Second Election District of St. Mary's County, Maryland; as shown on a plat of same filed with your applications. The applications for said building permits are being denied because of the following:

1. The area on which you applied to build said buildings is located on land which is designated on the "Land Use Map" of St. Mary's County as being for single family residential use. The County Commissioners of St. Mary's County adopted the "Comprehensive Land Use Map" as submitted to them from the Planning and Zoning Commission, and Harland Bartholomew and Associates, in July, 1967. We cannot grant building permits for a use inconsistent with the comprehensive plan, as this would be inconsistent with our former decision.

October 25, 1968

2. We have this date met, and voted to disapprove your application and proposal to build a topping plant and obtain a foreign trade zone permit in the Second Election District of St. Mary's County, Maryland. We cannot grant building permits for the use you applied for, having disapproved your proposal. Issuance of said building permits could be construed by others as an approval of your project.

Trusting the hereinabove clearly states our position, we remain

Sincerely yours,

Board of County Commissioners  
By F. Elliott Burch  
F. Elliott Burch, President

FEB:blt

cc: Alan D. Houser, Md.  
Deputy State Health Officer  
St. Mary's Health Department  
Leonardtown, Maryland 20650

Robert E. Wigginton, Esq.  
Leonardtown, Maryland 20650

T. T. Pantaleo  
County Engineer  
Court House  
Leonardtown, Maryland 20650

Planning and Zoning Commission  
Court House  
Leonardtown, Maryland 20650

October 29, 1968

Present: Mr. F. Elliott Burch  
Mr. J. Wilmer Bowles  
Mr. George R. Aud

Meeting convened at 10:15 a.m.

Sheriff's Dept. - Mrs. Donna Norris

Sheriff Burroughs had requested that the Commissioners allow Mrs. Donna Norris, now employed as the Sheriff's secretary to remain in the office after Mrs. Becky Norris, the former secretary, returns from maternity leave. Sheriff Burroughs had explained that since Mrs. Norris has left, there are various new procedures and forms in the office that she would learn from Mrs. Donna Norris. The Commissioners were in agreement that Mrs. Donna Norris should remain in the office for the additional two weeks.

Parks and Recreation

A bill from Walter Wise was presented to the Commissioners from Mr. Jim Henderson, Chairman, Parks and Recreation Board. After some discussion, the Commissioners approved payment in the amount of \$1,000 to Mr. Wise for the balance due him for the work he had completed at Nicolet Park. The total amount of the bill was \$7,162. A copy of the check in the amount of \$1,000 and a copy of the first check, a copy of the contract to Mr. Walter Wise on Nicolet Park and a copy of both bills marked paid are to be sent to Mr. Ed Curley so that he may in turn apply for reimbursement of one-half the total amount to the Department of Forests and Parks.

Steuart-Building Permits

Present were Mr. Pantaleo, Mr. Donaldson, Mr. D. Williams and Mr. O. R. Guyther. A letter was received from Mr. Robert V. Smith, General Counsel for the Steuart Petroleum Co. and the Steuart Investment Co. The letter was in reference to the denial by the Commissioners of four construction permits applied for on October 7, 1968. Mr. Smith stated that if said permits were not issued immediately, that he would be forced to take legal action by filing a petition in the Circuit Court asking the said court to issue a Writ of Mandamus, ordering the County Commissioners to issue said building permits. Upon consultation with Mr. D. Williams, County Attorney, and Mr. Oliver R. Guyther, attorney, said attorneys advised the Commissioners that there was no doubt that the court would issue a Writ directing the Commissioners to issue the building permits, as the applicant had complied with all of the statutory requirements and Health Department regulations. Both attorneys felt that it would not be ethical or proper to force the applicant to file such a suit, when the result would be against the Commissioners. Mr. Aud made a motion that the Commissioners approve the issuance of the building permits to Steuart Petroleum Co. Mr. Burch seconded the motion. Mr. Bowles was not in agreement and voted against said motion for the following reasons: (A) The application today, October 29, 1968 is the

same application acted on by the Commissioners on Friday, October 25, 1968. (B) The application being discussed was denied on Friday because it did not comply with the Land Use Plan as prepared by Harland, Bartholomew & Asscts.

A letter is to be sent to Steuart's notifying them of the approval of the permits. It was directed to include language that clearly shows that the Commissioners approval of the building permits was in no way to be construed as approving the Foreign Trade Zone or Topping Plant proposed by Steuart's. Mr. Bowles requested that a copy of the letter be sent to the Maryland Port Authority, Governor's Office and the State Economic Development Committee.

### Roads

Mr. Pantaleo informed the Commissioners that he had received a report about an erosion problem at Nicolet Park. He stated that he had inspected the site and found that the problem could easily be taken care of. Mr. Pantaleo and Mr. Douglas Bond will take care of this matter.

Mr. Bowles discussed Sickles Road, located in the second election district of St. Mary's County. It was learned that this road should be renamed Redmond Road. Mr. Bowles made a motion that the Commissioners rename Sickles Road, Redmond Road, and Mr. Burch seconded the motion. The State Roads Commission will be notified of this change.

The Commissioners awarded the bid for the hydraulic robot highway cutter to the McClung-Logan Equipment Co., Inc. Their bid price submitted was \$8,500. Mr. Pantaleo received a letter from Mr. A. W. Tate, District Engineer, State Roads Commission, who stated that rental price for this cutter would be \$2.50 per hour. This rate would not include any necessary repairs. The rental rate of the grader to the County at this time is \$4.50 per hour. This is not a standard rate inasmuch as these equipment rates vary from time to time.

### Board of Education

The Commissioners approved payment for a requisition in the amount of \$80,000 to Mr. Chris Brown, Contractor for the St. Mary's County Technical Center.

### State Roads Commission

The Commissioners approved payment for a requisition in the amount of \$17,917.45 to the State Roads Commission for the balance due to them on the Hickory Hill Project.

### Merit System

The Commissioners reviewed the list of test scores of the girls that took the examination for the position of secretary to the County Engineer. Mrs. Barbara Tippet, the present secretary for the County Engineer, passed the examination. Mr. Bowles made a motion that

Mrs. Barbara Tippet be retained in her position as secretary to the County Engineer after meeting with the requirements of the Merit System. Mr. Burch seconded the motion.

The meeting adjourned at 3:45 p.m.

Approved,

*F. Elliott Burch*

F. Elliott Burch  
President

*F. Elliott Burch*