

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, October 2, 1973 and Wednesday, October 3, 1973Tuesday, October 2, 1973

Present: Commissioner J. Wilmer Bowles, President
 Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Paul Raley, Administrative Officer
 Judith Mullins, Recording Secretary

The meeting came to order at 9:30 a.m.

(Commissioner Guy was not present)

READING OF MINUTES

The minutes of September 26, 1973 were read and corrected.

(Commissioner Guy entered the meeting)

BIDS ON CARPET FOR ASSESSORS' OFFICE

On Monday, October 1, John Norris, County Engineer, and Judith Mullins opened sealed bids for the carpeting in the Assessors' Office, formerly County Engineer's and Recreation and Parks' Offices. The bids were as follows:

Griffin Carpets	\$1,130.00
Thompson Furniture City	\$1,237.79
George L. Hurry	\$1,150.50
(118 square yard @ \$9.75 a yard)	
Waldorf Carpet and Draperies	\$1,294.26

Commissioner Aud made a motion that the bid for the carpeting be awarded to Griffin Carpets in the amount of \$1,130, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

TRI-COUNTY GROUP HOME

Doris Bracken accepted appointment to the Tri-County Group Home. The Commissioners unanimously agreed that this appointment be made. Tom Scherer, President, Tri-County Group Home and Doris Bracken is to be notified of this appointment. Paul Raley is to determine if there are any other vacancies on this Board.

BILLS APPROVED

The following bills were unanimously approved by the County Commissioners:

St. Mary's County Historical Society for office salary in connection with the operation of the St. Mary's County Tourist Information Center for the month of September 1973 - \$416.66.

Mrs. Mary L. Hammer for secretarial and proofreading work in the publication of the 1973 Supplement to the St. Mary's County Code - \$50.00.

Dr. Carl N. Everstine for editing 1973 Supplement to the St. Mary's County Code - \$100.00.

David M. Gruber & Company for 1973 Zero District: Tax Bills, Assessment Rolls, and Treasurer's Rolls - \$650.00.

Hills Club for dinners (Plumbing Board Expense) - \$57.58.

Robert Willard mileage expenses for July - \$56.95.

Robert Willard mileage expenses for August - \$98.70.

Robert Willard mileage expenses for September - \$54.25.

BOARD OF EDUCATION CONSTRUCTION PROGRAM

At a special meeting held Friday, September 28, the County Commissioners unanimously approved the local Board of Education's current and Five Year Construction Program Request and signed the Resolution pertaining to same to be forwarded to the State Board of Education.

FUEL OIL BIDS

Paul Raley stated only one bid was received for fuel oil for the 1973-74 heating season; Thrift Oil - 19.2¢ per gallon. Commissioner Guy made a motion to award the bid to Thrift Oil, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

SHERIFF'S DEPARTMENT CARS

The Commissioners approved that the G & H Recondition Shop wash and clean the Sheriff's Department's cars for \$2.00 per car, minimum of ten cars per week.

BUILDING PERMIT - ALEX SCHUST

A letter dated September 28, 1973 was received from Dr. Marek, Health Department, concerning their position of the issuance of a health certificate to Mr. Schust. A copy of this letter was forwarded to Mr. Schust and is on file in the County Commissioners' Office.

PRESENTATION OF PROCLAMATION - OYSTER FESTIVAL (NO. 73-28)

Present: Marvin Joy, Rotary Club
Colonel Hayward, Rotary Club

The Commissioners presented a Proclamation proclaiming Sunday, October 14, 1973, as the Seventh Annual Oyster Festival Day to Marvin Joy and Colonel Hayward of the Rotary Club.

ST. MARY'S COUNTY FILM

Commissioner Aud made a motion that the film on St. Mary's County be shown at the Oyster Festival, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

Paul Raley is to reaffirm the cost of the film with Mr. Griswold and place an order for same in accordance with the approved budget.

BIDS ON INVESTMENTS

On Thursday, September 27, 1973, bids were opened on the investment of \$700,000 General Funds and \$597,872.13 Revenue Sharing Funds. Those present were: H. D. McGlade, Paul Raley, Harris Sterling. Bids were as follows:

<u>Amount</u>	<u>Maturity</u>	<u>First Nat'l Bank</u>	<u>Md. Nat'l Bank</u>	<u>Md. Bank & Trust</u>
\$700,000	90 days	9%	9.53%	9%
\$597,872.13	90 days	9%	9.53%	9%

The bids were awarded to Maryland National Bank at 9.53%.

PEPCO FACILITIES - CHARLES COUNTY - DOUGLAS POINT

A letter was received from the Potomac Electric Power Company stating that PEPCO has filed an application with the Atomic Energy Commission for a license to build a nuclear power plant at Douglas Point in Charles County. The Commissioners opposed the location in Charles County and a letter is to be forwarded stating the Commissioners' position.

RESOLUTIONS FOR TRAFFIC CONTROL

Hermanville Road - Commissioner Guy made a motion that the Commissioners adopt a Resolution setting the speed limit on Hermanville Road from Route 235 to Route 5 to 25 and 35 miles an hour and a Resolution for the placing of "Children at Play" and Dangerous Curve" signs, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

Patuxent Beach Road - Commissioner Guy made a motion that the Commissioners adopt a Resolution setting the speed limit on Patuxent Beach Road from Route 235 to Kingston Road to 30 miles per hour, and a Resolution for the placing of "Children at Play", "Pedestrian Crossing", and "Stop" signs, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

PROJECT SUMMARY NOTIFICATION REVIEW

Commissioner Guy made a motion to approve the project by the State Highway Administration submitted by Maryland Department of State Planning which is Md. Route 6 - West of Route 232 to .2 miles west of St. Mary's County line, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

LEONARDTOWN RECREATION COUNCIL - SWIMMING POOL PROJECT

Present: Mary Horton, President, Leonardtown Recreation Council

Mrs. Horton presented a check in the amount of \$2,866.32 which represents salaries for pool manager and lifeguards, social security and liability insurance paid by the County. Mrs. Horton stated 9,119 people went through the swimming program this summer. Five weeks of the poverty program were paid out of Recreation and Parks Funds. Mrs. Horton said the Recreation Council would like to request permission from the Commissioners to run the project again next year, and they would like the same technical assistance from the Finance Office and Recreation and Parks. The Commissioners granted this permission.

ANGELOS C. DEMETRIOU CONTRACT

Present: Robert Willard, Planner
Harris Sterling, Finance Director

Mr. Willard and Mr. Sterling certified that the balance due Tri-County Council for work being performed and to be performed on the Land-Use Plan by Angelos C. Demetriou is \$18,266 for Project P-1008, excepting special services around Lexington Park related to the AICUZ area. Mr. Willard recommended that Tri-County Council be authorized to forward \$3,477.94, which is a part of the \$18,266, to State Planning for Angelos C. Demetriou's contract. Commissioner Aud made a motion that letters be forwarded to Tri-County Council stating the above and forwarding a check in the amount of \$18,266, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

BID OPENING - SHERIFF'S DEPARTMENT CARS

Present: Kenneth MacRae, Patuxent Motor Sales

Sealed bids were opened for the purchase of eight cars for the Sheriff's Department. Bids were as follows:

Fenwick Ford	\$37,760.08
(less trade in)	8,352.08
Total	<u>\$29,408.00</u>
Patuxent Motor Sales	\$38,377.84
(less trade in)	12,778.80
Total	<u>\$25,599.04</u>

Paul Raley is to review all bids and make recommendations to the Commissioners.

VOUCHERS APPROVED

Vouchers No. 5283 through 6022 dated July 5, 1973 through September 17, 1973 were approved by the County Commissioners.

ECONOMIC DEVELOPMENT COMMISSION

Present: Mr. Arthur "Buck" Briscoe, Director
Mrs. Virginia Meads, Chairman

Mr. Briscoe and Mrs. Meads presented a letter to the County Commissioners requesting permission for the EDC Office to remain at its present quarters in the First National Bank Building because the quarters at Leonard Hall Building No. 4 did not offer enough space, and were the Commissioners firm on their decision for this move.

The Commissioners made suggestions on the utilization of the space and agreed that their decision was firm.

COUNTY ENGINEER'S OFFICE

Present: John Norris, County Engineer

Hermanville Road - John Norris stated signatures of adjacent property owners are needed on the right-of-way deed for Hermanville Road, and the Deed conforms with the survey. Mr. Norris requested authorization by the Commissioners for \$400 to Hugh Wilkerson, Engineer and Surveyor, to complete the plans for construction of this road. Commissioner Aud made a motion to approve this \$400 expenditure, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

John Norris is to obtain prices on asphalt for Hermanville Road.

PERSONNEL - John Norris stated Steve Gragan, who is helping with the remodeling of the offices in the Courthouse, is presently earning \$1.96 per hour and would like a commitment from the Commissioners for a work period of four months at \$2.50 per hour. Commissioner Guy made a motion that Steve Gragan be hired for a four-month period at \$2.50 per hour, effective October 2, 1973, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

Roof Repairs - John Norris recommended that Thomas Moore be awarded the bid for the roofing repair of the Courthouse. His bid in the amount of \$695 was \$5 more than A. Milburn; however, Mr. Milburn was unable to get a performance bond. Mr. Milburn is to do the repairs of the Health Department building and it is to be a 20-year bonded roof. The Commissioners accepted Mr. Norris' recommendation, due to the fact that Mr. Milburn cannot obtain a performance bond.

School Bussing - Town Creek - John Norris is to forward a letter to State Highway Administration requesting a traffic study and review of street patterns within a one-mile radius of Town Creek School.

The meeting recessed at 4:00 p.m.

October 3, 1973, Wednesday

Present: Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 Judith A. Mullins, Recording Secretary
 Lelia Rogers, Secretary, Planning Commission
 (Commissioner J. Wilmer Bowles was not present.)

The meeting reconvened at 1:45 p.m.

REZONING HEARING - JAMES DOBRY (File No. 0011)

Present: James Dobry

Mr. Dobry came before the Commissioners to request the rezoning of property consisting of 31.753 acres, located in Greenview Knolls West off of Chancellors Run Road, from "Agricultural" to "C-Residential."

The secretary read the Notice of Public Hearing and the letter from Robert C. Willard, Planning Director, in which it was stated that Mr. Dobry was willing to comply with the Public Works Agreement for water and sewage installations in West Greenview Knolls and he is to contact the St. Mary's Metropolitan Commission to arrange with proper placing of such construction and the execution of the public works agreement. Planning Commission recommended approval of

the rezoning of this property on September 10 contingent upon being served by public sewage and that there be no more than 228 units on the entire parcel. Mr. Dobry said the property is located in a heavily wooded area and that is the reason for the limitation to 228 units.

Commissioner Aud informed Mr. Dobry that the County is in the process of adopting a road policy on county roads for developments consisting of more than twenty lots and would he be willing to participate in this policy. The cost per lot has not been developed as of this time. Mr. Dobry said he donated 8 1/2 acres to the Board of Education for a school site. He further stated that Chancellors Run Road is a connecting point between Route 235 and Great Mills Road, creating a tremendous amount of traffic on Chancellors Run Road. He said he would not mind helping but would not rebuild the road, unless the figure was reasonable. Mr. Dobry said he would not hesitate to give an additional ten foot right-of-way to the County on the West side for about 1/3 of a mile.

Commissioner Aud stated that Demetriou's Land-Use Plan calls for the completion of Hewitt Road and Strickland Road which would give access off of Chancellors Run Road. Mr. Dobry said with the additional right-of-way and the school site, he felt he had made an adequate contribution. Commissioner Aud stated this would be taken into consideration.

Commissioner Guy asked if any one present objected to the rezoning of this property. There were no protestants. This request will be taken under consideration by the Commissioners, after which time Mr. Dobry will be advised of the decision. A tape of the entire proceedings is on file in the Commissioners' Office.

REZONING HEARING - MARV FRANZEN (#0012)

Present: Marv Franzen
J. Neil Hayden

Mr. Franzen came before the Commissioners to request the rezoning of property located on Maple Road and State Route 235, Eighth Election District, from "A-Residential" to "Commercial" category.

The secretary read the Notice of Public Hearing and the letter from Robert C. Willard, Planning Director, in which he stated that the Planning Commission on September 10, 1973 unanimously disapproved this application due to the fact that there was insufficient land to make it practical; that the road entrance would present a problem and the Planning Commission's

opposition to spot-zoning along Route 235 and that Maple Road is heavily congested at this time and that approval of this parcel would worsen the matter.

Mrs. Rogers read the minutes from the Planning Commission meeting of September 10. Mr. Franzen wanted particularly to point out the statement made by Robert Willard at that meeting that Mr. Franzen intended to build a motel at that site which would exceed the Holiday Inn. Mr. Franzen said he did not attend that meeting and if it had been presented to Planning Commission properly, they may have approved it.

Commissioner Aud asked if he did intend to construct a motel at that location and Mr. Franzen answered that he was thinking of several things, not particularly a motel.

Mr. Franzen stated that Mr. Hayden still owns the property and is selling it as commercial property. He stated that on the zoning map the first 200 feet is already zoned commercial. Mr. Franzen presented a letter from A. Leola Dean, a property owner adjacent to the property in question, stating she had no objection to the property being zoned commercial. He presented another letter from Neil Hayden stating he lives in a house adjoining this property and he has no objection to the commercial use of this property. Mr. Franzen stated that the spot-zoning statement from the Planning Commission is erroneous because the land was already zoned commercial and all he was asking was the back part consisting of 2.4 acres be zoned commercial. Regarding the traffic situation, Mr. Franzen stated that in a 15 minute time span, only five cars went by on Maple Road. The only people using Maple Road are the residents of the 39 homes in Esperanza plus school traffic.

Commissioner Guy stated the Commissioners are concerned with the development on county roads. Commissioner Aud asked if he would be willing to give a ten foot right-of-way. Mr. Franzen said that would be no problem.

Commissioner Guy asked if there is a limitation by the State Highway Administration as to the entrance and exit on Route 235. Mr. Franzen said there was. Commissioner Aud stated that Mr. Franzen had been told that he cannot put an entrance within 140 feet of Route 235.

Commissioner Guy asked Mr. Franzen if he would agree to a 20 foot buffer zone to the rear of the property. Mr. Franzen said he would. The trees in that area are thick and he would not touch the trees.

Commissioner Guy asked if anyone present objected to the rezoning of this property. There were no protestants. This request will be taken under consideration by the Commissioners, after which time Mr. Franzen will be notified of the decision. A tape of the entire proceedings is on file in the Commissioners' Office.

The meeting adjourned at 3:00 p.m.

J. Wilmer Bowles
J. Wilmer Bowles

11/6/73

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, October 9, 1973

Present: Commissioner J. Wilmer Bowles, President
 Commissioner George R. Aud
 Commissioner J. S. Guy, Jr.
 H. D. McGlade, Director of Administration
 Judith A. Mullins, Recording Secretary

The meeting came to order at 9:30 a.m.

READING OF MINUTES

The minutes of October 2, 1973 were read and corrected.

REZONING DECISION - MARV FRANZEN (FILE NO. 0012)

Commissioner Aud made a motion to approve the rezoning requested by Marv Franzen for property located on and at the intersection of Maple Road and State Route 235, Eighth Election District, from "A-Residential" to "Commercial." Commissioner Guy seconded the motion. Commissioner Bowles abstained.

REZONING REQUEST - JAMES DOBRY (FILE NO. 0011)

Before a decision can be made on Mr. Dobry's rezoning request on property located in Greenview Knolls West off of Chancellors Run Road from "Agricultural" to "C-Residential." the Commissioners will need a signed public works agreement with the Metropolitan Commission, an agreement limiting the project to 228 units and an agreement that Mr. Dobry will give a ten-foot right-of-way on Chancellors Run Road to the County. Robert Willard, Planning Director, is to get this information.

NATIONAL 4-H WEEK PROCLAMATION

Present: John Lancaster, County Extension

Also present were the following 4-H members: Sandra Smith
 Elaine Davis, Frances Lanham, James Goddard, Karen Davis.

Commissioner Aud made a motion that the Proclamation proclaiming October 7 through October 15, 1973 as National 4-H Week be signed, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

RECREATION AND PARKS

Present: John Baggett, Director

GRAVES PROPERTY - The Commissioners informed John Baggett that there is an error in the Graves deed and it should be corrected before the check for the property is forwarded to Mrs. Graves or before the settlement sheet can be signed.

BIDS ON TENNIS COURT - TOWN CREEK - John Baggett recommended that the bid for the tennis courts in Town Creek be awarded to Walter Wise in the amount of \$17,000 and the fencing and site work at the location be awarded to B. A. Garner and Son in the amount of \$907. Mr. Baggett stated that the Department of Public Works has approved the additional funds. Commissioner Aud made a motion to accept John Baggett's recommendation, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

OCEAN HALL - John Baggett stated the County Attorney has prepared the option for the purchase of Ocean Hall. The option offers the appraised value of the property or the owner can fill in a blank for an amount not to exceed \$250,000. The option gives 30 days to have appraisals made after which time the owners can accept or reject the County's offer.

SHERIFF'S DEPARTMENT CARS

Commissioner Guy made a motion to award the bid for the purchase of eight cars for the Sheriff's Department to Patuxent Motors in the amount of \$38,377.84 less trade in of eight cars in the amount of \$12,778.80 which represents a net balance in the amount of \$25,599.04.

RESOLUTION NO. 73-29 - TEMPORARY SUSPENSION OF THE PRIVILEGE OF RESIDENTIAL PLATTING WITHIN THE MECHANICSVILLE AND WHITE MARSH ELEMENTARY SCHOOL DISTRICTS

Present: Michael Davis, Attorney (Weiner and Davis)

The Commissioners discussed with Mr. Davis that the above moratorium should not be extended beyond the expiration date, June 9, 1974. Mr. Davis stated there would have to be a public hearing for an extension of the moratorium prior to the expiration date. The Commissioners agreed that a Press Release be given to the Press stating that it is not the intent of the County Commissioners to extend the Resolution beyond its expiration date, June 9, 1974, and should conditions justify, the Commissioners have the power to eliminate the moratorium prior to its expiration date. Any deviation from the Resolution would require a Public Hearing.

Commissioner Guy made a motion to adopt Resolution No. 73-29 to be effective October 9, 1973, and end of June 9, 1974. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

(Commissioner Aud left the meeting.)

TRI-COUNTY GROUP HOME

Jim Kenney will not be able to serve on the Tri-County Group Home Board; therefore, a letter is to be sent to Marge Flannagan asking if she would be willing to serve.

TEMPORARY CUSTODIAL HELP

The Commissioners agreed that Mrs. Ella Louise Price be hired to help clean the Courthouse for the next two weeks while Mr. Gatton is on vacation, at an hourly rate of \$1.60 per hour, effective October 9, 1973.

(Commissioner Aud returned to the meeting.)

ST. MARY'S WATERSHED PROJECT - SITE 1 (JONES HEIRS)

Present: Michael Davis, Attorney (Weiner and Davis)

Mr. Davis stated that the court case for condemnation proceedings of the Jones Heirs property was held Wednesday, October 3, at which time the jury viewed the property. Mr. Davis said he had two appraisals made of the property which were \$7300 and \$8300. Oliver Guyther, representing the Jones heirs, had an appraisal made by his real estate salesman, which was in the amount of \$31,000. The jury agreed that \$16,975 should be paid to the heirs - for 17 acres in fee simple and 31 1/2 acres easement.

Commissioner Guy made a motion to accept the findings of the jury to pay the heirs \$16,975 for 17 acres more or less in fee simple plus easement of 31 1/2 acres more or less for the St. Mary's Watershed Project - Site 1, seconded by Commissioner Aud and made unanimous by Commissioner Bowles.

Mr. Davis said the check is to be made payable to "Clerk of the Court, to the use of Ethel Dorsey, et al", and Oliver Guyther will divide it among the heirs.

COMPREHENSIVE RECREATION AND PARKS PLAN

Present: Mr. Stuart Allen, Consultant
Mr. John Baggett, Director, Recreation and Parks

Mr. Allen made a presentation to the Commissioners on the Comprehensive Recreation and Parks Plan which included a description of St. Mary's County, an inventory of recreation and park facilities, the need and demand for recreation and the recommendations by the Allen Organization. The report also included information for the acquisition and development of park and open space land, revenue producing facilities and a Capital Improvement Plan.

Commissioner Guy mentioned the reference to the proposed park at Bushwood Wharf (Ocean Hall), Seventh Election District, which he felt should conform with the proposals made at the public hearing. The following items should be omitted from the report:

1. (b) Boat launching ramp with parking for cars and trailers.
2. (i) Par-3 golf course with clubhouse.
3. (m) Day camp.
4. (n) overnight camping area - 20 units.

Mr. Baggett is to give Mr. Allen the correct terminology that was mentioned at the public hearing.

ELLIS ROAD

Present: John Norris

John Norris stated he re uested bids for the construction of Ellis Road from Dean Construction, McGuire Rolfe Co., Inc. and Arundel Asphalt Products, Inc. Dean Construction submitted the only bid which was in the amount of \$15,363. Commissioner Aud made a motion that the Commissioners approve the contract with Dean Construction, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

John Norris recommended that an on-site inspector be hired for this project which would cost approximately \$800 to \$1,000. The Commissioners approved this recommendation. John Norris should handle plant inspection.

BUILDING PERMIT ORDINANCE (NO. 73-25)

Present: Michael Davis, Attorney (Weiner and Davis)
John Norris, County Engineer

Commissioner Aud made a motion that the Commissioners approve the Building Permit Ordinance, effective November 1, 1973, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

Mr. Davis submitted a letter to the Commissioners with a recommendation for an amendment to penalty provisions of Section 217 of the St. Mary's County Code. Said letter is in the Legislative Package File for 1974.

PLUMBING PERMIT ORDINANCE (No. 73-27)

Present: Michael Davis, Attorney
John Norris

Commissioner Aud made a motion that the Commissioners approve the Plumbing Permit Ordinance, effective November 1, 1973, seconded by Commissioner Guy and made unanimous by Commissioner Bowles.

BILLS APPROVED

The following bills were approved by the Commissioners:

Hugh W. Wilkerson & Assoc., dated September 21, 1973, for completion of work on St. Andrews Church Road Plans and Proposal - \$9,868.00.

The meeting adjourned at 5:15 p.m.

 11/20/73
J. Wilmer Bowles