

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, November 23, 1977

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett
Edward V. Cox, County Administrator
Cecelia B. Adams, Recording Secretary

The meeting was called to order at 8:55 p.m.

READING AND APPROVAL OF MINUTES

The minutes of November 16, 1977 were read and corrected. Commissioner Parlett made a motion to approve the minutes as corrected, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Jarboe made a motion to approve payment of the bills as submitted, seconded by Commissioner Dean. All Commissioners voted in favor.

Commissioner Jarboe made a motion that the Commissioners approve payment of Voucher No. 15431 in the amount of \$79.10 to the Belvedere, seconded by Commissioner Dean. All Commissioners voted in favor of the motion with the exception of Commissioner Millison who abstained.

MUTUAL AID AGREEMENT

The County Administrator advised that relative to the fire and rescue companies, the Director of Finance and the County Attorney had completed their review of the subject agreement and presented their recommendations for the Commissioners' approval.

Commissioner Parlett made a motion that the Commissioners enter into the Mutual Aid Agreement with Calvert County regarding fire and rescue vehicles, seconded by Commissioner Jarboe. All Commissioners voted in favor. Commissioner McKay signed same.

Related to the Agreement for the County's authorization for Calvert County's fire companies' and rescue squads' use of St. Mary's County frequencies, Commissioner Parlett made a motion that

Calvert County be authorized to use same, seconded by Commissioner Jarboe. All Commissioners voted in favor.

Mr. Wood was requested to implement this decision.

LEGISLATIVE PACKAGE

The County Administrator presented the legislative package as completed to this date for the Commissioners' review. The Commissioners decided that a one-week review was necessary and that official action would be taken at the November 30 meeting.

CAL-ACRES (ACCEPTANCE OF DEED)
ELM BROOK DRIVE

The County Commissioners reviewed the deed as prepared and recommended by the County Engineer. Commissioner Jarboe made a motion to accept the above-referenced deed, seconded by Commissioner Dean. All Commissioners voted in favor.

Commissioner McKay stated that he would like to go on record stating that he no longer had any interest in the Cal-Acres Subdivision. He continued stating that in 1971 he had sold the interest he owned at that time.

HOLLY GAF SUBDIVISION
PUBLIC WORKS AGREEMENT

The Commissioners reviewed the public works agreement and irrevocable letter of credit for the Holly Gaf Subdivision, Section Four, as prepared and recommended by the County Engineer. Commissioner Jarboe made a motion that they authorize the President of the Board to sign the above referenced agreement, seconded by Commissioner Dean. All Commissioners voted in favor.

HOLLY GAF SUBDIVISION
ECONOMIC IMPACT FEE AGREEMENT

The Commissioners reviewed the Economic Impact Fee Agreement by and between Hugh Allston and Joseph M. Gough and the County Commissioners for Holly Gaf Subdivision, Section Four, as prepared and recommended by the Office of Land Use and Development. Commissioner Jarboe made a motion that the President of the Board be authorized to sign the Economic Impact Fee Agreement for the 25 lots located in the subject subdivision, seconded by Commissioner Parlett. All Commissioners voted in favor.

ST. INIGOES LANDING
ECONOMIC IMPACT FEE AGREEMENT

The Commissioners reviewed the Economic Impact Fee Agreement by and between Barbara B. Graham, et al and the County Commissioners, for St. Inigoes Landing Subdivision, Section One, as prepared and recommended by the Office of Land Use and Development. Commissioner Dean made a motion that the President of the Board be authorized to sign the Economic Impact Fee Agreement for the eleven lots located in the subject subdivision, seconded by Commissioner Parlett. All Commissioners voted in favor.

STONEY RUN SUBDIVISION
(ECONOMIC IMPACT FEE AGREEMENT)

The Commissioners reviewed the Economic Impact Fee Agreement by and between Wayne A. Wise and wife and the County Commissioners for the Stoney Run Subdivision, Section Two and the resubdivision of Section One, as prepared and recommended by the Office of Land Use and Development. Commissioner Dean made a motion that the President of the Board be authorized to sign the Economic Impact Fee Agreement for the ten lots located in the subject subdivision, seconded by Commissioner Parlett. All Commissioners voted in favor.

BUILDING PERMIT REVIEW COMMITTEE

The Commissioners appointed the following persons to the above referenced committee and agreed that Commissioner Dean would meet with the Committee to review its objectives: Pete Breck, Joseph Garner, Daniel Guenther, Benjamin Burroughs, Jr., Frank Gerred, Walter Raum, John Hall, John Norris, and Mike Marlay.

FIREHOUSE CHATS

The Commissioners agreed that the next firehouse chat should be scheduled for January 22, 1978 at the Leonardtown Firehouse and directed that the arrangements be made for same.

ACCOUNT TRANSFER - TREASURER'S OFFICE

Commissioner Parlett made a motion to approve the transfer of \$37.00 from Account No. 1052-2131 (Contract Services) to Account No. 1052-3101 (Equipment Account) to provide the necessary additional funds for the purchase of lateral files for the Treasurer's Office, seconded by Commissioner Jarboe. All Commissioners voted in favor.

CLERK OF CIRCUIT COURT
ANSWERING SERVICE

The County Administrator informed the Commissioners of the problems derived from the procedures presently used for notifying jurors and recommended on behalf of the Clerk of the Court, the purchase of an answering and recorded message device and the installation of a private line to eliminate some of the difficulties. The estimated amount for this purchase and installation was \$450.00. Commissioner Dean made a motion that the County proceed to install a private line and an answering/recorded message device and to transfer the funds for this equipment from the jurors salary account to the Clerk of the Court equipment account, seconded by Commissioner Parlett. All Commissioners voted in favor.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel. The Executive Session was held from 10:30 a.m. to 11:15 a.m.

WALDEN
FIRE EXTINGUISHER

The County Engineer informed the Commissioners that as the result of an additional request by the Fire Marshall it had become necessary to secure a kitchen fire range extinguisher for the Walden Residential Center. Mr. Norris continued stating that the extinguisher had arrived at the post office C.O.D. He requested that the Commissioners approve payment of Voucher No. 1725 in the amount of \$52.33 to the Ganda Corporation for same. Commissioner Dean made a motion that the subject voucher be approved for payment, seconded by Commissioner Parlett. All Commissioners voted in favor.

STONEY RUN SUBDIVISION
PUBLIC WORKS AGREEMENT

The Commissioners reviewed the Public Works Agreement for the Stoney Run Subdivision, Section Two and the resubdivision of Section One, as prepared and recommended by the County Engineer. Commissioner Dean made a motion that the County enter into the Public Works Agreement as described by the County Engineer, seconded by Commissioner Jarboe. All Commissioners voted in favor. Commissioner McKay signed same.

PROGRESS STATUS REPORT

Present: John B. Norris, Jr., County Engineer

Mr. Norris presented the progress status report for FY '78 as of September 30, 1977 for the Commissioners' information. Mr. Norris briefly reviewed and discussed same and stated that he would need a determination from the Commissioners regarding the capital improvement projects very soon.

AIRPORT INDUSTRIAL PARK SITE PLAN (LOT 14)

Present: Jeffrey Poley, Zoning/Subdivision Administrator
Joseph Mattingly, Developer
Ray Schummer, CZ Enterprise
Walter Raum, Health Department

Mr. Poley and Mr. Joseph Mattingly appeared before the Commissioners to obtain site plan approval for Lot 14 in the Airport Industrial Park. Mr. Walter Raum explained that he was not satisfied at this point with the condition of the eight inch artesian well and he would have to have further information prior to him recommending approval. In addition, the Commissioners discussed the acceptability of permitting Mr. Mattingly to put in a drive-way to Lot 14 in lieu of constructing the street as shown on the plat. The Commissioners directed Mr. Poley and Mr. Raum to work with the developer and to return when they felt they had the matter resolved.

REZONING CASE NO. 77-120
C. RONALD AND ANNE LUMPKINS

Present: Mr. and Mrs. Ronald Lumpkins, Applicants
Jeffrey Poley, Zoning/Subdivision Administrator
James Kenney, Attorney
Joyce Nelson, Recording Secretary

Application was made by C. Ronald and Anne Lumpkins for the rezoning of approximately 1.85 acres (Lots 7-22, Block 24, Lots 1-3 and Lots 19-25, Block 25, Piney Point Shores Subdivision) located on Maryland Route 249, Piney Point, Second Election District, from R-1, Rural Residential to C-2, Highway Commercial. The complete record, file and tapes are on file in the Office of Land Use and Development.

REZONING CASE NO. 76-5
GUYTHER-GILLAM DECISION

Commissioner Parlett made a motion that the Commissioners notify Mr. Oliver Guyther that they are not going to accept his offer for down zoning and provision of a strip of land and they are not going to withdraw their appeal of the Circuit Court decision, seconded by Commissioner Jarboe. All Commissioners voted in favor with the exception of Commissioner Millison who abstained.

RAILROAD RIGHT-OF-WAY

After brief discussion, Commissioner Jarboe made a motion that the Commissioners adopt the resolution regarding use of the railroad right-of-way and instruct their staff to put the ordinance together for signature and for effective date as March 1, 1978 and instruct the County Engineer to prepare and post same. Commissioner Dean stated that he felt they should instruct their staff to prepare this for signature to include recommendations as to type of sign, number and so forth. Commissioner Jarboe stated that he would withdraw his original motion. The staff was requested to have information necessary ready within two weeks for Commissioners' review. The Commissioners also requested that Mr. Baggett, Director of Recreation and Parks, see if certain areas of the railroad right-of-way could be used for mini-bikes and see what would be required to do so.

CHAMBER OF COMMERCE

Commissioner Jarboe made a motion that the Commissioners reconsider and proceed to join the St. Mary's County Chamber of Commerce paying the annual dues of \$250. Commissioner Jarboe continued stating that he felt the Chamber deserved their support as a dues paying member and by so doing, they would be helping to create a better business climate for the tax paying community. Commissioner Parlett seconded the motion. Commissioner Dean disagreed and stated that he felt there were a lot of organizations that the County could be requested to join. He felt that it came down to a principle of taxpayers' dollars. Commissioner McKay stated that he felt they had the Economic Development which was working hand and glove with the Chamber of Commerce and this expense was unnecessary. Two Commissioners voted in favor of the motion, with Commissioners Dean, McKay and Millison voting against.

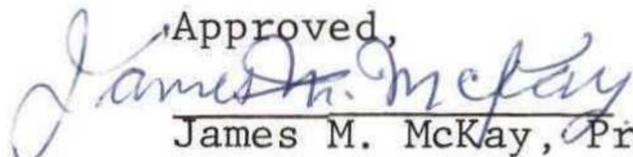
EPISCOPAL CHURCH PROPERTY

Discussion was had regarding the proposed site of the Fifth District Elementary School. Commissioner Parlett stated that he felt the Commissioners should view the Episcopal Church property in question. He continued stating that since all the Commissioners were not able to attend the Board of Education's work session, he would like to see them set up another work session with them. The County Administrator was requested to schedule a meeting with the Board of Education at their earliest convenience.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss various appointments to Boards and Commissions. The Executive Session was held from 2:40 p.m. to 3:10 p.m.

The meeting adjourned at 3:10 p.m.

Approved,

James M. McKay, President