

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, February 15, 1978

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett (via telephone hookup)
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary

The meeting was called to order at 9:00 a.m.

READING AND APPROVAL OF MINUTES

The minutes of February 8, 1978 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. 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. Four Commissioners present voted in favor, with Commissioner Parlett abstaining.

NURSING HOME CONSTRUCTION ACCOUNT

Present: Harris Sterling, Director of Finance

Mr. Sterling presented appropriate documents for the Commissioners' approval to be submitted to HEW requesting final payment for Project No. MD-172, in order to close out the Nursing Home Construction Account. Commissioner Dean made a motion to approve submittal of these documents and further to authorize Commissioner President McKay to sign same, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

CORRESPONDENCE TO GOVERNOR BLAIR LEE
PATUXENT RIVER ADVISORY COMMITTEE'S REPORT

Present: Jerry McKinney, Executive Director, Tri-County Council

Mr. McKinney appeared before the Commissioners to obtain their signatures on a letter to Governor Blair Lee which had been prepared by Attorney David Fleischaker, relative to the Patuxent River Advisory Committee's Report. Commissioner Dean made a motion to sign said letter, seconded by Commissioner Jarboe. All Commissioners voted in favor.

1978 LEGISLATIVE PACKAGE

The County Administrator advised the Commissioners of the status of the various items in the County's Legislative Package, stating that four bills have been filed, there was lack of support for the quick-take bill, and that the remaining items are under consideration. The Commissioners directed the County Administrator to make arrangements for a public hearing to be held early in March.

CAPITAL IMPROVEMENTS FOR ABELL'S WHARF

The County Administrator presented a list of materials needed for the erection of permanent exhibits on the Abell's Wharf Archaeological Site totalling \$975. The Commissioners directed the County Administrator to obtain clarification as to some of the items listed and return to the Commissioners for consideration of the request.

LETTER TO STATE OFFICE ON AGING - TITLE VII PROGRAM

The County Administrator presented correspondence for the Commissioners' signatures addressed to Dr. Tayback of the State Office on Aging relative to funding of the Title VII Program. The Commissioners agreed to sign and forward said letter.

REQUEST FOR BUILDING PERMIT FEE ABATEMENT
SEVENTH DISTRICT OPTIMIST CLUB

The County Administrator presented correspondence dated February 8, 1978 from the Seventh District Optimist Club requesting abatement of the building permit fee in the amount of \$12.00 for the construction of a storage building at the Seventh District Park. In accordance with the County's Resolution No. 75-53, Commissioner Jarboe made a motion to grant said abatement, seconded by Commissioner Dean. All Commissioners voted in favor.

OVERTIME FOR CID DEPUTIES

The County Administrator presented a request from the State's Attorney requesting payment of overtime for Sheriff's deputies in the CID Unit totalling 31 hours. Commissioner Jarboe made a motion to approve this request, seconded by Commissioner Dean. Four Commissioners voted in favor, with Commissioner Parlett abstaining, stating that he had not had an opportunity to review the letter.

CHILD ABUSE TASK FORCE

Present: Sharon O'Brien
Ann Trentman

Representatives of the Child Abuse Task Force appeared before the Commissioners to inform the Commissioners of the various activities of the Task Force and explained their goals and objectives. Ms. Trentman explained

that most of the major social agencies in the County have representation on the Task Force and that it is an interagency and community based entity.

In closing, Ms. O'Brien and Ms. Trentman invited the Commissioners to attend one of their Task Force meetings to see what is being done.

JUVENILE MASTER

Present: Marvin Kaminetz, Juvenile Master
Representatives of various agencies dealing with youth

Mr. Kaminetz appeared before the Commissioners to inform them of various juvenile matters that were discussed at the Juvenile Master Conference he had recently attended, and encouraged the Commissioners to support a new preventative-type program of coordination which is hoped to become a model project in the State of Maryland. The program is an interagency crises intervention team that operates in high schools and would respond to juvenile related situations. The Juvenile Master indicated that the program would not require an increase of funding of additional personnel. After further description and discussion, the Commissioners indicated their support of the concept of the program and wished those in attendance success in this undertaking.

In addition, Mr. Kaminetz discussed the possibility of a formation of an advisory board for the Juvenile Court in the County comprised of citizens from the community. He stated that there is a provision in the Maryland law providing for the establishment of such a committee and recommended that if such a committee is formed that it be on a tri-county basis.

PROCLAMATION NO. 78-16
VEHICLE SAFETY WEEK

Present: Charles Cornelius, Vice President, Optimist of St. Maries
Chet Sidlowski, Secretary, " " " "

The Commissioners presented the above-referenced Proclamation proclaiming the week of February 19-26, 1978 as Vehicle Safety Week.

PRESS CONFERENCE

Present: Sunny Schust, Enterprise
Dave Fox, WKIK
Ingrid Buehler, Beacon
Florence Ballangee, Beacon
Paula Smith, WPTX

The regular semi-monthly Press Conference was held at this time. A tape of the conference is on file in the Commissioners' Office.

PUBLIC HEARING
SECTION 4.9 - ST. MARY'S COUNTY ZONING ORDINANCE

Present: Frank Gerred, Director, Land Use and Development
Jeff Poley, Subdivision/Zoning Administrator
Jim Kenney, Attorney
Joyce Nelson, Recording Secretary

At this time a Public Hearing was held concerning a proposed amendment to the St. Mary's County Zoning Ordinance relating to Section 3.2, Definitions; Lot, Zoning, and to Section 4.9 Minimum Lot Size. A copy of more-detailed minutes and tape are on file in the Commissioners' Office.

SEVENTH DISTRICT RESCUE SQUAD
PURCHASE OF AMBULANCE

Commissioner Dean advised that members of the Seventh District Rescue Squad had inquired of him about the possibility of obtaining an EMS Grant for the purchase of an ambulance, and having learned that it would be considerable time before obtaining a grant could be determined, and since the rescue squad was in need of the ambulance now, they are now inquiring whether the County would be willing to loan them \$12,000 which they would pay back to the County over a five-year period. Commissioner Dean stated that this would have to be a policy decision by the Commissioners, because there may be similar requests in the future. The Commissioners agreed to defer a decision until next week; however, Commissioner Millison stated he would not be present next week and wanted to go on record supporting the loan to the rescue squad for the ambulance.

INDUSTRIAL SITE PLAN - NO. 78-103
JOSEPH ABELL CLARK

Present: Joseph Abell Clark
Frank Gerred, Director, LUD
Jeff Poley, Zoning/Subdivision Administrator
Charles Norris, Attorney
Mr. and Mrs. Waring
Joe Mattingly
Kathryn Chinni

Mr. Gerred presented the Industrial Site Plan for Joseph Abell Clark who is requesting approval of the Plan for an addition to an existing conditional use permit on his property located off of Rte. 244, on Abell's Wharf Road in order to construct a portable batch plant. Mr. Gerred explained that Mr. Clark meets the requirements of the Conditional Use; however, unless an amendment is made to Article II of the St. Mary's County Zoning Ordinance, Mr. Clark would not be able to bring materials onto the site for processing. The Planning Commission has recommended approval of this site plan.

Mr. Norris referred to an agreement which Mr. Clark had signed with surrounding property owners as to the use of this property and was of the opinion that the site plan should not be approved.

Joseph Mattingly, developer of the Airport Industrial Park, submitted a letter to the Commissioners stating his position on the matter, a copy of which is on file in the Commissioner's Office.

Mrs. Chinni expressed concern over the fact that the trucks going to and from the site are not stopping at the Rt. 244 intersection.

Commissioner Dean stated there were two factors to consider:

1. That it is not a purpose of zoning to prevent competition and if zoning would do that, zoning should be done away with;

2. That a conditional use is a legal part of zoning. This gravel operation is a permitted conditional use and therefore, legally constituted under the Zoning Ordinance. The approval of this site plan is entirely consistent and in conformance with the conditional use. In order for the Commissioners to deny this site plan before us, there would have to be a basis in law to do so and Commissioner Dean stated that he did not see any.

Therefore, Commissioner Dean made a motion to approve the referenced site plan, No. 78-103, for Joseph Abell Clark.

Commissioner Millison stated that he would prefer to defer a decision on this matter before it is voted on, to which Commissioner Dean agreed and therefore withdrew his motion.

In addition, the Commissioners requested that the Planning Commission Attorney be directed to review the agreement referred to by Mr. Norris to determine its impact.

PROPOSED RESOLUTION

RE: ARTICLE 21 (AICUZ) - ZONING ORDINANCE

Present: Frank Gerred, Director, LUD
Jeff Poley, Zoning/Subdivision Administrator
Joseph Ernest Bell, II, County Attorney
James Kenney, Attorney
Ens. Michael Sullivan

The Commissioners discussed with the above-referenced individuals the proposed AICUZ Resolution with amendments. As a result of this discussion, further amendments were made to the proposed resolution, after which the resolution was read aloud by Commissioner Dean.

Commissioner Dean made a motion that the resolution as amended and read aloud be retyped in final copy, to include a definition of a "residential lot" as referred to in the resolution, said definition to be developed by the County Attorney, Director of Land Use and Development and Attorney James Kenney, representing Cedar Cove Development. Commissioner Jarboe seconded the motion. Four Commissioners voted in favor, with Commissioner McKay voting against.

MANAGEMENT STUDY

Present: Joseph O'Dell, Budget Officer

The Commissioners discussed the recently submitted Management Study from the Department of Economic and Community Development and Commissioner Jarboe's written review of this study.

Commissioner Jarboe itemized four areas which he recommended to be addressed by the Board:

1. Purchasing and Procurement Policy;
2. Maintenance Function - inhouse or contract?;
3. State Highway Administration - maintenance agreement;
4. Parochial School Transportation - County or Board of Education Administration?

School Bus Transportation - The Budget Officer indicated that during previous budget reviews, the Commissioners had discussed the feasibility of coordinating the administration of school bus transportation. The review at that time, although not in great depth, indicated that there was no overriding justification to consolidate. Mr. O'Dell stated, however, that a more in-depth review might reveal justification not previously evidenced and volunteered to conduct such a review. The Commissioners concurred with Mr. O'Dell's opinion and requested his attention be given to this matter as soon as possible.

State Highway Administration Maintenance - The Budget Officer stated that he was willing to comply with the Commissioners' request to review the SHA maintenance costs to the County, but needed more specific direction in performing this review and also formal authorization from the Board before initiating it. The Commissioners directed the Budget Officer to prepare correspondence for their signatures to SHA obtaining their concurrence and the Commissioners indicated that they would address this matter at a subsequent date.

Maintenance Function - The Commissioners agreed to discuss the organizational plan of the maintenance function at a later date.

Purchasing and Procurement - The Commissioners were informed that attempts to formulate a proposed purchasing manual have been unsuccessful to this point. After some discussion of the reasons for the lack of success, the Commissioners directed that the staff improve the efforts in formulating a proposed purchasing manual and present same for the Commissioners' review as soon as possible.

FINANCIAL MANAGEMENT

Commissioner Jarboe stated that the County has already addressed several aspects of financial management but that there is a need for continued review. The Commissioners agreed to set up a meeting with affected County officials to review with them the financial management study submitted by the Budget Officer. Written comments from the County offices will be reviewed prior to establishing a date for this meeting.

ROAD RESOLUTION NO. 78-16B ST. MARY'S MANOR ROAD

On behalf of the County Engineer, the County Administrator presented the above-referenced Road Resolution placing a stop sign at the intersection of West St. Mary's Manor Road with Frogs Marsh Road, making West St. Mary's Manor Road the stop street.

Commissioner Dean made a motion to approve said Road Resolution, seconded by Commissioner Millison. All Commissioners voted in favor.

LEONARDTOWN LIONS CLUB - TRACTOR PULL

With regard to the request by the Leonardtown Lions Club for a clay tract for a Tractor Pull Event, the County Administrator stated that the work can be done by County forces, if agreeable with the County Commissioners. The Commissioners gave their concurrence and requested the County Engineer to work with the Lions Club.

COUNTY TREASURER'S OFFICE - TAX VERIFICATION FOR DEED RECORDATION

The County Administrator submitted a proposal whereby a small office would be located in the Courthouse to serve the function of tax verification for deed recordation when the principal office of the County Treasurer is relocated at the Governmental Center. The proposal has been reviewed by the County Attorney, Bar Association representative, and County Treasurer staff and all are in agreement with this plan. The Commissioners gave their concurrence.

LEASE AGREEMENT

ST. JAMES KENNELS AND PET MOTEL

Commissioner Millison made a motion to accept the Lease Agreement by and between St. James Kennels and Pet Motel and the Board of County Commissioners of St. Mary's County for the temporary placement of stray or unwanted animals, said agreement for a one year term in the amount of \$3600 per year, seconded by Commissioner Dean. All Commissioners voted in favor.

FEDERAL AVIATION ADMINISTRATION - EXPENDITURE PROJECTS

The County Administrator presented a tabulation of expenditure projects for the County Airport prepared by the Chairman of the Airport Committee. After review, the Commissioners agreed that the expenditure projects should be submitted to the FAA with the provision that these projects in no way commits the County to these projects.

COUNTY AIRPORT - AUDIT

The Commissioners reviewed a memorandum from the Budget Officer recommending that an audit be performed of the financial records of the County Airport leaseholder. Prior to making a decision on this matter, the Commissioners directed the staff to determine, rather than an audit, whether or not it is sufficient to review the financial reports to the State and Federal Governments attested to by a CPA.

SHERIFF'S DEPARTMENT OVERTIME

Present: Sheriff Joseph Lee Somerville

Sheriff Somerville presented to the Commissioners an overtime request for a 15-day period for several deputies in response to the Commissioners

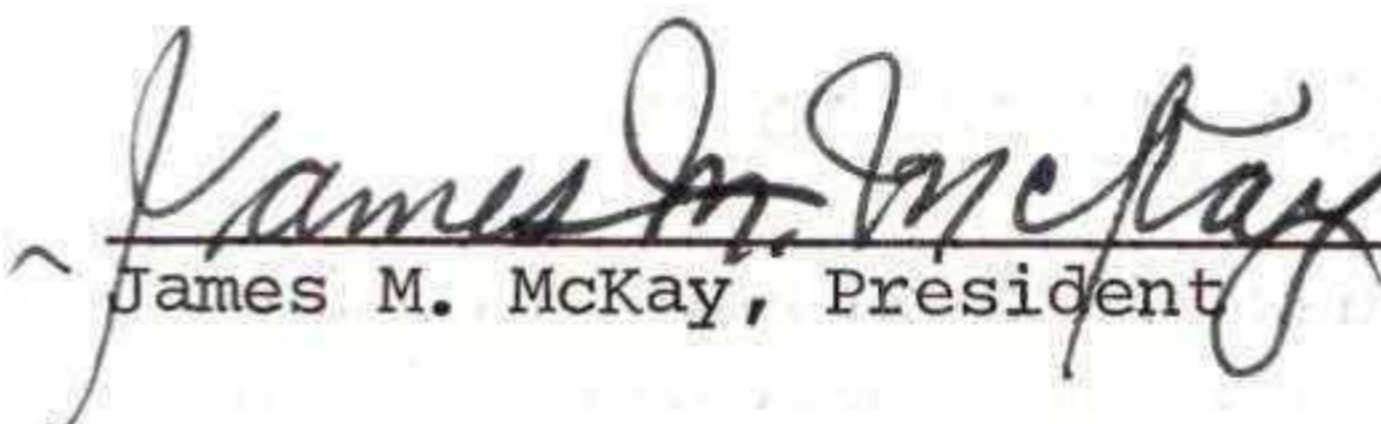
overtime correspondence dated January 30, 1978. The Commissioners requested that the Sheriff submit this request after an additional 15 days, so that all requests can be reviewed and considered on a monthly basis.

COASTAL RESOURCE ADVISORY COMMITTEE

Commissioner Dean made a motion to appoint Mrs. Marianne Chapman to the Coastal Resource Advisory Committee to fill the unexpired term of Miss Hope Swann, seconded by Commissioner Jarboe. All Commissioners voted in favor.

The meeting adjourned at 4:30 p.m.

Approved,


James M. McKay, President