

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, June 14, 1978

Present: Commissioner John K. Parlett, Vice President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe, M.D.
Commissioner Larry Millison
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary
(Commissioner McKay was not present.)

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

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of June 7, 1978 were read and corrected. Commissioner Jarboe moved, seconded by Commissioner Dean, that the minutes be approved as corrected. All Commissioners present 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 moved, seconded by Commissioner Dean to approve payment of the bills, as submitted. All Commissioners present voted in favor.

LETTER TO ECONOMIC AND COMMUNITY DEVELOPMENT
LOWER CHESAPEAKE BAY FERRY ROUTE

Present: Ward Miller, Economic Development Coordinator

Mr. Miller presented an amended letter for the Commissioners' review and signature addressed to the Secretary of Economic and Community Development requesting funds for a feasibility study of the Lower Chesapeake Bay Ferry route. After some discussion, the Commissioners agreed to sign and forward said correspondence.

MARYLAND INDUSTRIAL DEVELOPMENT ASSOCIATION

Present: Ward Miller, Economic Development Coordinator

The County Administrator advised the Commissioners that Mr. Miller has been nominated to serve as Vice President of MIDAS and requested concurrence from the Board of County Commissioners to serve in this capacity. The Commissioners gave their concurrence and expressed the hope that he would keep the best interest of St. Mary's County in mind.

NATO DEFENSE COLLEGE VISIT

Present: Ward Miller, Economic Development Coordinator

The County Administrator explained that the NATO Defense College will again be making a visit to St. Mary's County on November 12, 1978 and with the Commissioners' concurrence, St. Mary's County will co-host with the Navy for this visit. The Commissioners gave their concurrence to co-host this visit and that Ward Miller be coordinator.

GRANT APPLICATION

ENVIRONMENTAL ASSESSMENT OF STEUART STORAGE FACILITY

On behalf of the Director of Land Use and Development, the County Administrator presented a Grant Application to be submitted to the Coastal Zone Management requesting funds in the amount of \$42,500 for an environmental assessment of the Steuart Petroleum Emergency Storage Facility at Piney Point. Commissioner Jarboe moved, seconded by Commissioner Millison to approve said Grant Application. All Commissioners present voted in favor.

EXPIRED BONDING CORRESPONDENCE

On behalf of the County Engineer, the County Administrator presented correspondence to be forwarded to developers of the following subdivisions regarding bonding for the completion of construction of streets and roads in the subdivision:

Beverly Estates, Section 1; Big Oak Subdivision; Birch Manor Subdivision, Sections 1 and 2; Country Lakes Subdivision, Section 1; Cal Acres Subdivision, Section 2; Fenwick Manor Subdivision; Gillens Grove Subdivision, Sections 3 and 4; Land O'Lake Subdivision, Section 1; Town Creek Manor Subdivision, Section 1C and 8; Tenn-Wood Acres Subdivision, Sections 2 and 3; Deer Run Subdivision; Helen Estates, Section 1; St. Mary's Industrial Park, Section I; Knolland II Subdivision; Wildewood Subdivision, Section 1, Plats 2 and 3; and Colony Square.

After review of said correspondence and the addition of the requirement for adequate surety, Commissioner Dean moved, seconded by Commissioner Jarboe to sign and forward said correspondence. All Commissioners present voted in favor.

GRANT APPLICATION FOR RENOVATION OF LEONARDTOWN LIBRARY BUILDING

The County Administrator presented a Grant Application to be submitted to Maryland Historical Trust for certain renovations to the Leonardtown Library due to roof and drainage and moisture and humidity problems. Commissioner Dean moved, seconded by Commissioner Jarboe to submit said Grant Application. All Commissioners present voted in favor.

RESOURCE CONSERVATION AND RECOVERY ADVISORY BOARD

The County Administrator presented correspondence from the Water Resources Administration requesting the County to appoint a representative to the Resource Conservation and Recovery Advisory Board which is in the process of being established to advise state agencies on the Resource Conservation and Recovery Act Program development and implementation involving solid waste disposal. The County Administrator recommended that a representative from the County Engineer's Office be appointed to serve in this capacity.

After discussion, Commissioner Dean moved, seconded by Commissioner Jarboe, that the County Engineer's Office be appointed and that office should designate the person to serve as representative. All Commissioners present voted in favor.

EXCEPTION TO LEAVE POLICY - SWITCHBOARD OPERATOR

The County Administrator informed the Commissioners that Mrs. Mary Agnes Buckler, SwitchBoard Operator, will be retiring and requested approved from the Commissioners for an exception to the leave policy. After discussion, Commissioner Dean made a motion to waive the 35-day leave accumulation limitation for the Switchboard Operator, seconded by Commissioner Millison. All Commissioners voted in favor.

ROAD RESOLUTION NO. 78-22
NORRIS ROAD

On behalf of the County Engineer, the County Administrator presented Road Resolution No. 78-22 establishing the speed limit at 35 miles per hour on Norris Road, 4/5 of a mile from its intersection with Chancellors Run Road. Commissioner Millison moved to accept said Road Resolution, seconded by Commissioner Jarboe. All Commissioners present voted in favor.

TRI-COUNTY GROUP HOME

The County Administrator advised the Commissioners that Tri-County Group Home has had a lapse of funds from the State and is therefore requesting an advance from the County in the amount of \$2,000 until June 23 when the State funds will be received. Commissioner Jarboe moved that this request be granted, seconded by Commissioner Millison. All Commissioners present voted in favor.

ST. CLEMENTS ISLAND POTOMAC MUSEUM
MULTI-PURPOSE FACILITY AT ARCHAEOLOGICAL PARK

Correspondence was received from the St. Clements Island Potomac Committee requesting funds in the amount of \$900, that had been budgeted for the Pene-rine project, to construct a multi-purpose facility at the Abell's Wharf Archaeological Park. After discussion, Commissioner Jarboe moved, seconded by Commissioner Dean to approve this request. All Commissioners present voted in favor.

AGRIGULTURAL PRESERVATION

Present: Al Musselman, Executive Director, Md. Agr. Preservation Foundation
Bradford Reeves, Board of Directors, Md. Agr. Preservation
John Hall, Soil Conservation Service
Frank Gerred, Director, Land Use and Development

Mr. Musselman appeared before the Commissioners to explain the basic intent and some implementing details of the state legislation pertaining to preservation of agricultural land. Mr. Musselman explained that the legislation authorizes the establishment of agriculture preservation districts, which entails an agreement between the landowner and the Foundation with local government approval, and after five years the landowner may sell an easement for the land to the Foundation.

In conclusion, the Commissioners requested that Mr. Musselman work with the County's newly formed Agricultural Preservation Advisory Council and advise them of the various aspects of this legislation.

APPLICATION TO PROGRAM OPEN SPACE
RENOVATION OF MARGARET BRENT GYMNASIUM

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the Program Open Space Development Application and Project Agreement for the renovation of the Margaret Brent Gymnasium. Mr. Baggett explained that it is a three-quarter grant; total amount of project being \$36,290 with the grant amount request at \$27,217.15.

Commissioner Dean moved, seconded by Commissioner Millison, to approve and forward said Application. All Commissioners present voted in favor.

CORRECTION OF OVERSIGHT IN UPDATE OF ZONING ORDINANCE

Commissioner Dean stated that with regard to the update of the St. Mary's County Zoning Ordinance which was adopted by the Commissioners at last week's meeting, there were several oversights that need to be corrected. He advised that he had consulted with the County Attorney as to what would be required to amend the Zoning Ordinance to correct these errors. He stated that the County Attorney was of the opinion that it would not be necessary to go through a public hearing process for the following reasons:

1. If it was not the intent of the Commissioners to have the 30 acre tract limitation for commercial districts in effect;
2. Due to the fact that these regulations have not been promulgated and no application has been processed under them; and
3. Due to the fact of the short time frame that had elapsed since the adoption of the Ordinance.

Therefore, Commissioner Dean moved, seconded by Commissioner Jarboe to

make the following corrections to the Schedule of Lot Dimensions, Yard Requirements, Coverage, and Density as contained in the Zoning Ordinance which was adopted on Wednesday, June 7, 1978:

1. Strike entirely the first line with reference to Agricultural District;
2. There is no reference in the Schedule to an Industrial Marine District and this should be added. The requirements of the Industrial Marine District will be the same as are contained in the March 10, 1977 update;
3. For Commercial Limited (CL) District - Minimum Lot Area - 20,000 square feet, Lot Width - 100 feet, Lot Depth - 200 feet;
4. For C-1 Commercial District - Minimum Lot Area - 20,000 square feet, Lot Width - 100 feet, Lot Depth - 200 feet;
5. For C-1 Commercial District - 45/15 should be added for Front Yard Requirement. This was apparently omitted;
6. C-2 Commercial District - Minimum Lot Area - 30,000, square feet, Lot Width-150 feet, Lot Depth - 200 feet;
7. Commercial Marine - Minimum Lot Area - One Acre, Lot Width - 200 feet on the waterfront, Lot Depth - 200 feet. If there is a residence associated with the Commercial Marine District, there must be a separate acre for that residence. Minimum Front Yard Requirement - 75 feet.

The above corrections are as set forth in the March 10, 1977 Zoning Ordinance.

Four Commissioners voted in favor, with Commissioner McKay abstaining.

DEPUTY DIRECTOR - EMERGENCY OPERATIONS CENTER
(TEMPORARY POSITION)

Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve the filling of the six-month temporary position for Deputy Director, Emergency Operations Center, Grade 12; however, this position will not be filled until official notification is received from the Director of his retirement. All Commissioners voted in favor.

RECLASSIFICATIONS

LAW CLERK - Commissioner Jarboe moved, seconded by Commissioner Parlett, to establish the position of Law Clerk at Grade 10, Base. All Commissioners voted in favor.

OFFICE OF PERMITS AND INSPECTION - Commissioner Jarboe moved, seconded by Commissioner Parlett, to implement the new classification of Permits Clerk from Clerk Typist position, with no grade increase. All Commissioners voted in favor.

SENIOR SERVICES COORDINATOR - Commissioner Jarboe moved, seconded by Commissioner Parlett, to reclassify the position of Senior Services Coordinator from Grade 12 to Grade 13. All Commissioners voted in favor.

MOTOR EQUIPMENT OPERATOR (COUNTY ENGINEER'S OFFICE) - Commissioner Jarboe moved, seconded by Commissioner Parlett, to reclassify the position of Motor Equipment Operator from Grade 8 to Grade 9. All Commissioners voted in favor.

RECREATION AND PARKS - Commissioner Jarboe moved, seconded by Commissioner Parlett, to reclassify the position of Office Secretary I, Grade 7, to Office Secretary II, Grade 8. All Commissioners voted in favor.

STATE'S ATTORNEY'S OFFICE - Commissioner Jarboe moved, seconded by Commissioner Parlett, to reclassify one of the Office Clerk Stenographer positions, Grade 6, to Office Secretary I, Grade 7. All Commissioners voted in favor.

COUNTY ENGINEER'S OFFICE - Commissioner Jarboe moved, seconded by Commissioner Parlett to reclassify the position of Office Secretary I, Grade 7, to Office Secretary II, Grade 8. All Commissioners voted in favor.

COUNTY ENGINEER'S OFFICE - Commissioner Jarboe moved, seconded by Commissioner Dean, to reclassify the position of Clerk Stenographer, Grade 6, to Office Secretary I, Grade 7. Four Commissioners voted in favor, with Commissioner Parlett abstaining.

REQUEST FOR PAYMENT OF ATTORNEY'S FEES (DJ'S ONE STOP) - FLOYD WILLIAMS

In response to a request at last week's meeting by Mr. Floyd Williams that the county pay for his attorney fees with regard to his court case in the DJ's One Stop Shop, Commissioner Jarboe moved, seconded by Commissioner Parlett that Mr. Williams be notified that the Commissioners decline to pay these fees. Four Commissioners voted in favor, with Commissioner Millison abstaining because he was not present at last week's meeting when this matter was discussed due to illness.

ADOPTION OF 1978 PAY SCALE

Commissioner Dean moved, seconded by Commissioner Jarboe, to adopt the new State Pay Scale as the County's Pay Scale, effective July 1, 1978. All Commissioners voted in favor.

FIRE PROTECTION - MECHANICSVILLE ELEMENTARY SCHOOL

The County Administrator advised the Commissioners that the Mechanicsville Volunteer Fire Department has requested a meeting with the Commissioners concerning fire protection for the Mechanicsville Elementary School. The Board of Education, Fire Board and Fire Department have prepared alternatives to provide fire protection and would like to present this information for discussion with the Commissioners. The Commissioners agreed to such a meeting and suggested that all parties come prepared to discuss overall fire protection of all the schools in the County, State requirements for said protection and fiscal impact of providing same.

In addition, the Commissioners requested a determination as to the State providing funds for the Mechancisville Elementary School fire prevention proposal.

RRR&G (WICOMICO SHORES)

Present: William A. Chapman, Trustee
Charles M. Tatelbaum, Attorney (Wicomico Shores)
Mr. Reed, President, Property Owners Assoc.
Joseph E. Bell, II, County Attorney
Mike Marlay, Director, Metropolitan Commission
Walter Raum, Health Department

Mr. Bell explained that the purpose of this meeting was based upon an Order of the Court and he had filed a claim on behalf of the County as creditor in the above-referenced matter, and according to the Court Order, each creditor is to make a comment and vote on the Plan of Reorganization of Wicomico Shores.

Mr. Chapman explained the developments that lead up to this meeting in trying to reorganize this project and distributed the proposed plan and covenants and Financial Statement for the Commissioners' review. In addition, Mr. Chapman displayed the Master Plan of Wicomico Shores, indicating which lots were recorded and unrecorded and sold and unsold. This is the Plan that will be submitted to the Judge and requested that the Commissioners vote whether or not to accept or not to accept the Plan. He added that the property owners appear to be voting for the Plan. Carrying out of the plan will be under the auspices of the Court.

In conclusion, the Commissioners agreed to further discuss the proposed Plan at next week's meeting at 9:30 a.m. with the above-referenced individuals.

(Commissioner Millison left the meeting.)

REZONING HEARING

ZONING AMENDMENT CASE NO. 78-119

LESLIE L. GOULD

Present: Leslie L. Gould, Applicant
Jim Kenney, Attorney for applicant
J. Spence Howard, witness for Mr. Kenney
Frank Gerred, Director, Land Use and Development

(The above-referenced rezoning hearing was continued from last week.)

Application was made by Leslie L. Gould to have approximately three acres of property located at the end of Backstone Road, Sixth Election District, rezoned from R-1, Residential, to CM, Commercial Marine.

The complete record, file and tape are on file in the Office of Land Use and Development.

HOUSING AUTHORITY

Present: Donald Curtis, Housing Coordinator
William Green, Housing Authority
Hall Vanetta, " "
Michael Glaser, " "

The above-referenced individuals appeared before the Commissioners to explain

the various programs of the Housing Authority and the problems encountered regarding maintenance, particularly at the Tubman-Douglas Estates. Mr. Curtis stated that proper maintenance and materials is needed for the housing project and requested that the \$12,000 that had been requested for FY '79 be reinstated for captial improvements for maintenance needs. In addition, it was requested that there be a permanent maintenance mechanic position, because the CETA program created too much of a turnover of personnel.

The Commissioners advised that they would give consideration to these requests and respond as to what assistance they could provide in the near future.

EXECTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss appointments to Boards, Committees and Commissions. The Session was held from 4:20 p.m. to 4:35 p.m.

PROPERTY ASSESSMENT APPEAL BOARD

Commissioner Jarboe moved, seconded by Commissioner Dean, to submit the following recommendations for the St. Mary's County Property Tax Assessment Appeal Board:

Member - Mr. Robert L. Owens, Mr. J. Willmer Bowles, Mr. William H. Wood,

Alternate - Mr. Claude Jarboe, Mrs. Elaine Sanger, Mrs. Jane Yowaiski.
All Commissioner present voted in favor.

ORDINANCE NO. 78-42

REQUIREMENT FOR SANITARY FACILITIES AT CONSTRUCTION SITES

Having held a public hearing on May 24, 1978 on the above referenced Ordinance, Commissioner Dean moved, seconded by Commissioner Parlett, to adopt Ordinance No. 78-42 - "Requirement of Sanitary Facilities at Construction Sites," to be effective July 15, 1978. All Commissioners present voted in favor.

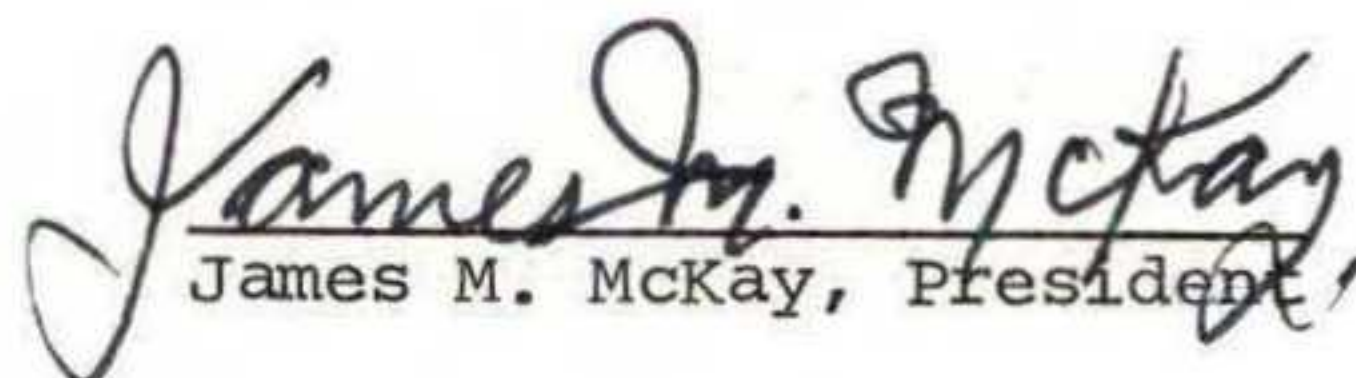
REQUEST FOR ISSUANCE OF BUILDING PERMIT

SPRING VALLEY (CORONADO VILLAGE)

The County Administrator advised that a building permit has been requested for the addition of a garage to an existing dwelling on Rosewood Terrace in the Spring Valley (Coronado Village) Subdivision. The Director of Land Use and Development recommends the release of this permit in that it has no impact on the Stop Work Order for the eight lots in this subdivision. The Commissioners concurred with the release of the permits with the stipulation that the granting of this individual request is not a general release of all permit requests.

The meeting adjourned at 4:45 p.m.

Approved,


James M. McKay, President