

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, September 6, 1978

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

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

READING AND APPROVAL OF MINUTES

The minutes of the Commissioners' meeting of August 30, 1978 were read. Commissioner Jarboe moved, seconded by Commissioner Parlett, to approve the minutes as read. 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 moved, seconded by Commissioner Parlett, to approve payment of the bills, as submitted. All Commissioners voted in favor.

SCHOOL BUS TRANSPORTATION - TEMPLE CHRISTIAN SCHOOL

The County Administrator advised the Commissioners that Rev. Fawley has requested the County to provide bus transportation for the students attending Temple Christian School. Mr. Cox stated that this is required by Public Local Law and that the Director of Purchasing and Logistics has been working with Rev. Fawley to establish routes, pickup points, and assignment of students to buses. This service will require an additional \$15,000 beyond the funds already budgeted for FY 78-79 for private school bus transportation. Therefore, authorization was requested to expend these additional funds, with source of funds to be determined by Budget Officer to be brought back before the Commissioners. The Commissioners gave their concurrence.

COUNTY COMMISSIONERS Vs. RUSTIC HILLS - EQUITY NO. A-6835

Regarding previous discussion and correspondence concerning settlement of the referenced case, the County Attorney forwarded correspondence to the Commissioners recommending the acceptance of offer of compromise from Oliver R. Guyther in the amount of \$7,600.

Commissioner Parlett moved, seconded by Commissioner Jarboe, to accept said offer of settlement. All Commissioners voted in favor.

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CLEARINGHOUSE PROJECT NO. 79-8-202
COASTAL ZONE MANAGEMENT IMPLEMENTATION GRANT PROGRAM

The County Administrator presented the referenced clearinghouse project, which has been reviewed by the Office of Land Use and Development, and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

CLEARINGHOUSE PROJECT NO, 79-8-172
COMMUNITY FOOD AND NUTRITION PROGRAM

The County Administrator presented the referenced clearinghouse project for the Tri-County Community Action Committee, which has been reviewed by the Senior Services Coordinator, and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives. The Commissioners gave their concurrence.

APPOINTMENTS TO WALDEN ADVISORY COMMISSION

Commissioner Parlett moved, seconded by Commissioner Dean, to appoint Mr. Theron Davidson and Mr. Robert Wentworth, Jr. to the Walden Advisory Commission for terms to expire December 31, 1979. All Commissioners voted in favor.

TANNER CREEK SHORE EROSION DISTRICT
BENEFIT CHARGE ASSESSMENT

The County Administrator explained to the Commissioners that it had been discovered that the County's method of assessment established in 1975 for the benefit charge for the Tanner Creek Shore Erosion District is incorrect. In order to correct this in accordance with the Attorney General's opinion, the payback schedule had been adjusted so that the amount of assessment will be constant for the remaining 25 year payback time. Therefore, the County Administrator presented a letter to the participants in the Tanner Creek Shore Erosion Project explaining the above for the Commissioners' approval and signature. The Commissioners agreed to sign and forward said correspondence.

MOBILE HOME HARDSHIP CASES NOS. 78-6, 78-10 AND 78-12

The County Administrator presented the referenced Mobile Home Hardship cases which were reviewed by the Mobile Home Hardship Case Evaluation Committee and submitted to the Commissioners with recommendations by that Committee.

Commissioner Dean moved, seconded by Commissioner Jarobe, to accept the recommendation of the Mobile Home Hardship Case Evaluation Committee and disapprove Case No. 78-6. All Commissioners voted in favor.

Commissioner Dean moved, seconded by Commissioner Jarboe, to accept the recommendation of the Mobile Home Hardship Committee and disapprove Case No. 78-10. All Commissioners voted in favor.

Commissioner Dean moved, seconded by Commissioner Jarboe, to accept the recommendation of the Mobile Home Hardship Committee and approve Case No. 78-12. All Commissioners voted in favor.

ECONOMIC IMPACT FEE
RELEASE OF LIEN

The County Commissioners considered the recommendation of the County Attorney to establish a release of lien process for economic impact fee payment. After some discussion, Commissioner Jarboe moved, seconded by Commissioner Dean, to authorize the Director of Land Use and Development or his designee, to effect for the County the release of lien upon receipt of payment of the economic impact fee. All Commissioners voted in favor.

ROAD RESOLUTION NO. 79-4
TOWN CREEK

Present: John Norris, County Engineer

The County Engineer presented Road Resolution No. 79-4 placing a Stop Sign at Chestnut Road at its intersection with Gunston Drive in Town Creek Subdivision. Commissioners Dean moved, seconded by Commissioner Millison, to authorize Commissioner President McKay to sign Road Resolution No. 79-4. All Commissioners voted in favor.

LEONARDTOWN COMMISSIONERS
INSPECTION SERVICES REQUEST

Present: John Norris, County Engineer

Mr. Norris stated that correspondence was received from the Leonardtown Commissioners requesting utilization of the County's inspection services for sediment control at Tudor Hall where earth is being removed by James W. Mattingly. Mr. Norris indicated that he would have no problem with this request. The Commissioners gave their concurrence as long as it did not interfere with the County Engineer's Office projects.

STATUS OF PROJECTS IN COUNTY ENGINEER'S OFFICE

Present: John Norris, County Engineer

Mr. Norris reviewed the status of the Surface Treatment Program, Asphalt Overlay Program and the Signing Project and indicated he was pleased with the progress of these projects. Mr. Norris also reviewed the status of the Guardrail Project and stated that he will be presenting a 70 (federal) 30 (county) grant for this in the near future.

LEXINGTON PARK HEALTH DEPARTMENT RENOVATION PROJECT

Present: John Norris, County Engineer

Mr. Norris explained that in the kitchen area of the Lexington Park Health Department building, the sink cabinet is in poor condition and it

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was his and Dr. Marek's recommendation that the cabinet be replaced, which would cost approximately \$1100. The Commissioners concurred with this recommendation and requested the County Engineer to determine if the Health Department has funds for this.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss matters of personnel (consideration of appointments of Boards, Committees and Commissions). The Session was held from 10:45 a.m. to 11:15 a.m.

PRESS CONFERENCE

Present: Jack Kershaw, Enterprise
Sunny Schust, "
Florence Ballangee, Beacon
Dave Fox, WKIK

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

REQUEST TO LEASE OLD LEONARDTOWN ELEMENTARY SCHOOL LEONARDTOWN RESCUE SQUAD

Present: Michael Gardiner, President, Leonardtown Rescue Squad

Mr. Gardiner appeared before the Commissioners to present a proposal that the Leonardtown Rescue Squad lease the Old Elementary School, which has been declared surplus property by the Board of Education, from the County on a long term basis. Mr. Gardiner proposed a 99-year lease for the purpose of operating a rescue squad and should the rescue squad cease to operate, it would automatically revert back to the County. Various aspects of the lease were discussed, such as an escape clause and reimbursement for improvements. It was agreed that the County Attorney be directed to research the matter and draft the lease for review and consideration by the Board of County Commissioners.

DISCUSSION

REZONING CASE NO. 78-113 (SAMUEL BAILEY, JR.)

Present: Frank Gerred, Director, Land Use and Development

The Commissioners continued discussion from last week's meeting concerning Rezoning Case No. 78-113, which was heard by the County Commissioners on August 16, 1978. Said hearing was on the application of Samuel M. Bailey, Jr. to have approximately 2.4 acres located on Maryland Route 4, Fifth Election District, rezoned from AR-2 (Agricultural-Residential) to C-2 (Commercial).

Commissioner Millison moved, seconded by Commissioner McKay, to approve the rezoning application from AR-2 to C-2. The motion was rejected by a vote of two to three, with Commissioners Dean, Jarboe and Parlett voting against.

Commissioner Dean moved, seconded by Commissioner Parlett, to request the County Attorney to draft the appropriate Resolution for review by the Board of County Commissioners setting forth the findings of fact and indicating approval of the rezoning application for the above referenced property from AR-2 to C-1. All Commissioners voted in favor, with Commissioner Millison stating for the record that he hoped someday to see this property zoned C-2.

DISCUSSION

REZONING HEARING CASE NO. 78-125

LEONARD S. REBARCHICK

Present: Frank Gerred, Director, Land Use and Development

The Commissioners continued discussion from the weeks of August 23 and 30, 1978 having conducted a public hearing on August 2, 1978 on the application of Leonard S. Rebarchick to have approximately ten acres of property located on Md. St. Rt. 235, Eighth Election District rezoned from R-1 (Rural Residential) to C-2 (Commercial).

After discussion, Commissioner Dean moved, seconded by Commissioner Jarboe, that the County Attorney be requested to prepare the appropriate resolution for the Commissioners' review, setting forth the findings of fact and indicating approval of this rezoning application from R-1 (Rural Residential) to C-2 (Commercial), with the exception of Parcel No. 293 as depicted in yellow on the official Tax Map in the zoning package from the Office of Land Use and Development. All Commissioners voted in favor.

DECISION DISCUSSION

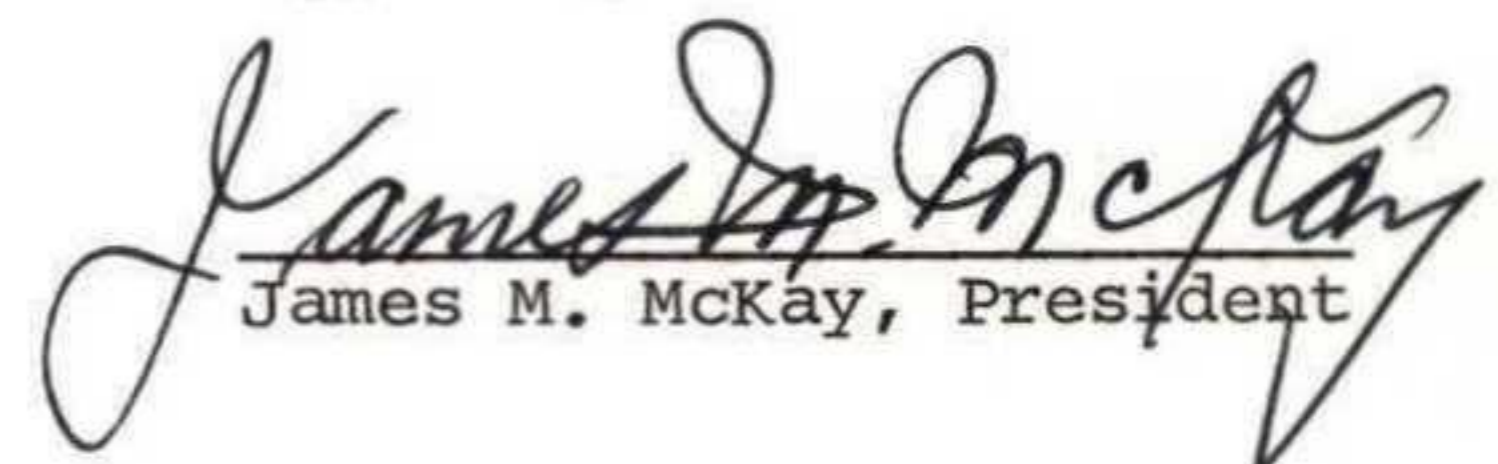
REZONING CASE NO, 78-149 - KING KENNEDY ESTATES

Having conducted a public hearing on August 23, 1978 on the application of King Kennedy Estates to have approximately 92 acres of property located off of Md. Rt. 247, Sixth Election District, rezoned from AR-2 (Agricultural-Residential) to PDR 1.0 (Planned Development Residential), the Commissioners commenced discussion on the findings of fact of this case.

After discussion, Commissioner Dean moved, seconded by Commissioner Millison, to request the County Attorney to prepare the appropriate Resolution for the Commissioners review, setting forth the findings of fact and indicating approval of this rezoning application from AR-2 to PDR 1.0. All Commissioners voted in favor.

The meeting adjourned at 2:30 p.m.

Approved,


James M. McKay, President

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