

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, November 15, 1978

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

(Commissioners Jarboe and Millison were not present.)

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

READING AND APPROVAL OF MINUTES

The minutes of the County Commissioners' meeting of November 8, 1978 were read and corrected. The Commissioners approved the minutes as corrected.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

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

COLLECTION OF OUTSTANDING JOHNSONGRASS PROGRAM DEBTS

The County Administrator presented correspondence from the Maryland Department of Agricultural requesting authority for the County Attorney to collect outstanding Johnsongrass Program debts.

Commissioner Dean moved, seconded by Commissioner Parlett, to indicate to the County Attorney the County's support of the request of Md. Department of Agriculture to pursue the collection of outstanding bills of the Johnsongrass Program. All Commissioners present voted in favor.

HOUSING AUTHORITY

TRANSFER OF PROGRAM ACCOUNTING FUNCTIONS

The County Administrator presented correspondence from the Chairman of the Housing Authority requesting that all program accounting functions be transferred to the county's fiscal and budget offices inasmuch as they did not have the expertise to perform this function.

After discussion, the Commissioners gave their concurrence to this request.

RELEASE OF SECURITIES

On behalf of the Director of Finance, the County Administrator presented a memorandum stating that since the amount of securities pledged by the Maryland Bank and Trust Company exceeds St. Mary's County's deposits in that bank, Mr. Sterling recommended approval for the release of securities in the amount of \$490,000.

Commissioner Dean moved, seconded by Commissioner Parlett, to accept the Director of Finance's recommendation and release \$490,000. All Commissioners present voted in favor.

PROGRAM DIRECTOR - COMMISSION ON AGING

The County Administrator presented a memorandum from the Personnel Officer stating the vacated position of Program Director for the Commission on Aging was advertised, applications received and interviews conducted. It was the Selection Committee's recommendation to hire SHERAL GUTHRIE to the position of Program Director, Grade 9. Commissioner Parlett moved, seconded by Commissioner Dean, to accept the Committee's recommendation. All Commissioners present voted in favor.

OFFICE CLERK

OFFICE OF PURCHASING AND LOGISTICS

The County Administrator presented a memorandum from the Personnel Officer stating that the position of Office Clerk was advertised and interviews conducted and it was the Selection Committee's recommendation to hire Bonnie Manning to that position, effective November 16, 1978. Commissioner Parlett moved, seconded by Commissioner Dean. All Commissioners voted in favor.

MILEAGE ACCOUNT TRANSFER

PERMITS OFFICE

The County Administrator presented a request by the Office of Permits and Inspection requesting a transfer of \$1600 from the Reserve for Contingency to be placed in the Travel Account. After discussion Commissioner Parlett moved, seconded by Commissioner Dean to approve the transfer of \$1600 from Account No. 2610-26912 (Reserve for Contingency) to Account No. 1131-2111 (Travel). All Commissioners present voted in favor.

ROSECROFT ROAD

The County Administrator presented correspondence for the Commissioners' review and signatures to Mrs. Mary Combs Barber advising that Rosecroft Road will be resurfaced with asphalt. The Commissioners agreed to sign and forward said letter.

LETTER TO MENTAL RETARDATION ADMINISTRATION

The County Administrator presented correspondence for the Commissioner's review and approval regarding the review of proposed Regulations pertaining to Group Homes for the Mentally Retarded. The Commissioners agreed to sign and forward said letter.

DISCUSSION

CASE NO. 77-127 - HAROLD A. AND MARGARET DUFFY

Present: Frank Gerred, Director, Land Use and Development
Jim Kenney, Attorney for Tanners Creek Assoc.

Mr. Kenney speaking on behalf of the Tanners Creek Association advised the Commissioners that it was the Association's opinion that by rezoning the property to Commercial Marine and placing a condition that there be commercialization on the bay side only and not on the creek side, would have the effect of eliminating any non-conforming use status that the Duffy's may have had. Therefore it was their opinion that the rowboat rental on the creek side could not be operated.

(Commissioner Jarboe entered the meeting - 1:00 p.m.)

ZONING DECISION DISCUSSION

CASE NO. 78-126 - BRETON BAY PUD

Present: Frank Gerred, Director, Land Use and Development
Henry T. Waring, applicant
Charles Norris, Attorney for Applicant

Mr. Gerred reviewed with the Commissioners the Zoning Amendment Resolution and Findings of Fact.

Having conducted a public hearing on August 18 on the referenced zoning application, requesting rezoning of approximately 250 acres located on Breton Bay Drive and Society Hill Road, Third Election District from R-1 Rural-Residential to PDR 3.5 and PD-SC, Commissioner Jarboe moved, seconded by Commissioner Dean to approve and adopt the Findings of Fact - Zoning Decision Resolution No. ZA-78-7, Breton Bay PUD, Case No. 78-126. All Commissioners present voted in favor.

Further, Commissioner Dean moved, seconded by Commissioner Jarboe, to approve and adopt the Zoning Amendment - Zoning Decision Resolution No. ZA-78-7. All Commissioners present voted in favor.

ZONING AMENDMENT DECISION DISCUSSION

CASE NO. ZA-78-201 - JAMES FINNACOM (DARCHAP PROPERTY)

Present: Frank Gerred, Director, Land Use and Development

Having conducted a public hearing on October 25, 1978 on the application of James Finnacom to have approximately 47 acres of property located off of Willows Road and Shangri-La Drive, Eighth Election District, rezoned from R-3, Residential to PDR-2 Planned Unit Development, the Commissioners commenced discussion on the findings of fact.

During discussion, Mr. Gerred advised that the County Attorney will review the Deed regarding open space that is to come to the County to determine the ability of the County to use the property as they wish.

In conclusion, the Commissioners directed that Mr. Gerred work with the County Attorney to develop the Resolution, incorporating the Findings of Fact and that the project meets the requirements of the Navy with regard to AICUZ.

REZONING HEARING

CASE NO. 78-168 - FDF, INC. (SOUTHGATE)

Present: James Kenney, Attorney for applicant
John Imbres
Capt. Klein, NAS
Al Bingman
Chuck Ellison
Frank Gerred, Director, Land Use and Development
Joyce Nelson, Recording Secretary

At this time the Commissioners conducted a public hearing on the application of FDF, Inc. requesting amendment of a development plan for property currently zoned PDR 3.5 and to amend from 3.4 to PDR 4.2, containing approximately 68.3 acres, located on Md. Rt. 712, north of the intersection with Md. Rt. 235, Eighth Election District.

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

APPROVAL OF VOUCHERS

Present: John Norris, County Engineer

Mr. Norris presented the following vouchers and partial payment for the Commissioners' review and approval:

Asphalt of Entrance to Henderson Park - Voucher No. 20358 in the amount of \$10,528.84 payable to Dean Construction Company (Project No. SM 78-1-8);

Surfacing of Larredore Road - Voucher No. 20631 in the amount of \$54,658.53, payable to Dean Construction Company (Project No. SM 79-1-11);

Larredore Road - Voucher No. 20633 in the amount of \$17,056.50 representing final payment to Raymond Woodburn (Project No. 79-1-1);

Asphalt projects - Partial Payment No. 3 in the amount of \$14,305.78 payable to Dean Construction Company (Project No. 78-1-8);

Laurel Grove Morganza Road - Voucher No. 20632 in the amount of \$13,435.68, representing final payment to Raymond Woodburn (Project No. 78-1-10).

Commissioner Jarboe moved, seconded by Commissioner Parlett to approve payment of the aforementioned vouchers and partial payment. All Commissioners present voted in favor.

CONTRACT

COURTHOUSE RENOVATION - PROJECT NO. 79-4-1

Present: John Norris, County Engineer

Mr. Norris presented a Contract in the amount of \$12,851.64 by and between the County Commissioners of St. Mary's County and Elwood Joy for courthouse renovations and the bond from Fidelity and Deposit Company in like amount.

Commissioner Parlett moved, seconded by Commissioner Dean to approve said Contract and bond. All Commissioners present voted in favor.

LOAN OF COUNTY EQUIPMENT

SEVENTH DISTRICT FIRE DEPARTMENT

Present: John Norris, County Engineer

Mr. Norris advised that he received a request by the Seventh District to allow them to use a piece of county equipment that the SHA is currently operating for the County. The individual who operates the equipment for SHA is a member of the fire department and will be operating it for them if agreeable with the Commissioners.

Commissioner Parlett moved, seconded by Commissioner Jarboe, to approve this request. All Commissioners present voted in favor.

ENTRANCE PERMIT - KLEAR PROPERTY

Present: John Norris, County Engineer

Mr. Norris advised that the surety provided to guarantee the construction of an entrance to serve the Klear property in Leonardtown, (off of Courthouse Drive) will expire November 20. Mr. Norris recommended that authorization be given to the President of the Board to make claim on the surety unless an extension is given prior to November 20.

Commissioner Jarboe moved, seconded by Commissioner Dean, to authorize the making of claim on the surety to be put in interest bearing account, if an extension cannot be worked out by Friday, November 17. All Commissioners present voted in favor.

LETTER TO ENVIRONMENTAL EDUCATION COORDINATOR

The Commissioners agreed to sign and forward a letter to Marianne Chapman, Environmental Education Coordinator requesting the exploration of the feasibility of having a State-sponsored Environmental Education Center located in St. Mary's County.

REAPPOINTMENTS

ZONING BOARD OF APPEALS

Commissioner Jarboe moved, seconded by Commissioner Parlett, to re-appoint Edward Fitzgerald and John C. Benson to the Zoning Board of Appeals for terms to expire December 31, 1981. All Commissioners present voted in favor.

ZONING DECISION RESOLUTION NO. 78-6

PARAGON BUILDERS, INC. (WILDEWOOD)

CASE NO. ZA 78-166

Having conducted a public hearing on the referenced rezoning matter, Commissioner Dean moved, seconded by Commissioner Jarboe, that the application of Joseph A. Waldschmitt and Alice Waldschmitt and Paragon Builders be approved to reclassify approximately 25 acres of land zoned I-1 (General Industrial) to C-2 (Commercial) and approximately 135 acres from I-1 (General Industrial) to R-2 (low density urban residential) in accordance with the submitted exhibits describing said property and with the further approval of the aforesaid application for reclassification of the above-referenced land in conjunction with approximately 347 acres of land now zoned R-1 (Rural Residential) to a Planned Unit Development PDR 3.5, PDR 5.0 and PD-CP in accordance with the submitted development plan. Three Commissioners voted in favor, with Commissioner Parlett abstaining.

NAVAL EVALUATION AND TEST MUSEUM

The Commissioners reviewed correspondence from representatives of the Naval Evaluation and Test Museum in which a request was made for County Government's participation and cooperation. The Commissioners directed the County Administrator to forward correspondence to the Museum stating that because of the short term remaining in the present administration, the matter will be referred to the incoming Board of County Commissioners which will take office approximately December 13.

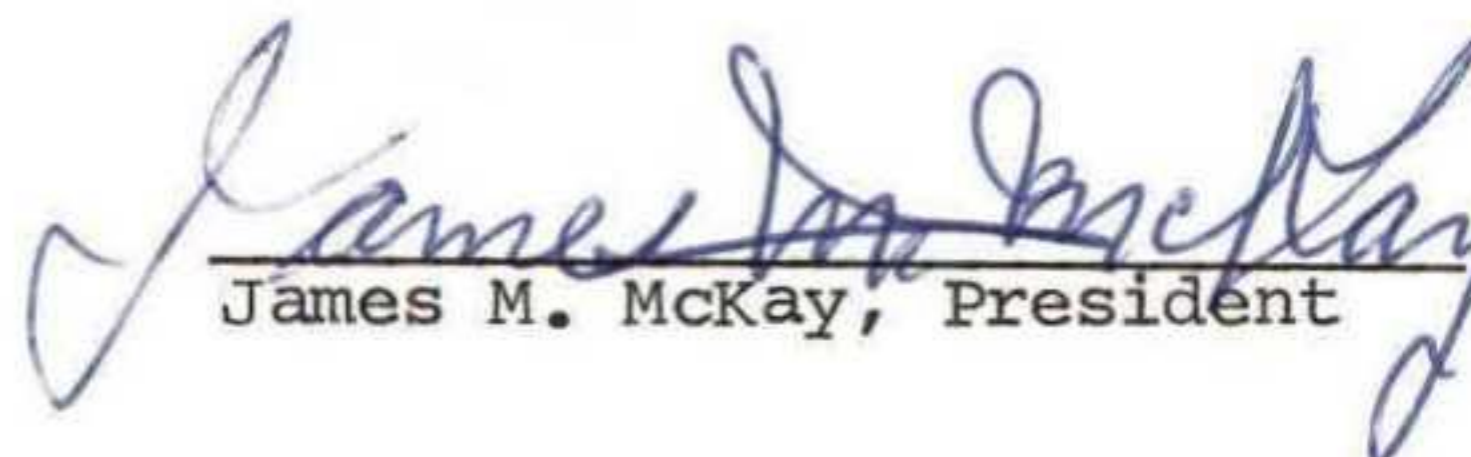
FISCAL CLERK - OFFICE OF PUBLIC HOUSING

By memorandum dated November 15, the Personnel Officer advised that the Clerk Typist II position, which is a Section 8 grant position, in the Housing Authority Office has become vacant and it was recommended that the position be reclassified and advertised as Fiscal Clerk I, Grade 6.

Commissioner Jarboe moved, seconded by Commissioner Parlett, to accept this recommendation based on the idea that there will be less duties with the transfer of the financial functions to the County. All Commissioners present voted in favor.

The meeting adjourned at 4:25 p.m.

Approved,


James M. McKay, President