

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 22, 1981

Present: George R. Aud, President  
Larry Millison, Vice-President  
Commissioner Richard D. Arnold  
Commissioner Ford L. Dean  
Commissioners David F. Sayre  
Edward V. Cox, County Administrator  
Judith A. Mullins, Recording Secretary

The meeting was called to order at 10:35 a.m.

APPROVAL OF VOUCHERS

Commissioner Millison moved, seconded by Commissioner Aud, to approve payment of the bills as submitted by the Director of Finance. All Commissioners voted in favor.

SOLOMONS SEWAGE TREATMENT PLANT

The County Administrator advised the Commissioners that the Board of Calvert County Commissioners would like to arrange a meeting on January 19, 1981 regarding the Solomons Sewage Treatment Plant. The Commissioners gave their concurrence. Arrangements for time and place will be forthcoming at a later date.

MARYLAND ROCK INDUSTRIES

The County Administrator presented correspondence for the Commissioners' review and signatures requesting that a public hearing be scheduled in St. Mary's County on the application by Maryland Rock Industries to the Army Corps of Engineers for a permit for dredging of a channel and docking area. The Commissioners agreed to sign said letter.

PROGRAM DIRECTOR  
OFFICE ON AGING

Upon receipt of a memorandum dated December 22, 1981 from the Personnel Officer, Commissioner Dean moved, seconded by Commissioner Aud, to appoint Nancy Hutson to the position of Program Director, Grade 10, Office on Aging, effective January 18, 1982. All Commissioners voted in favor.

SCHEDULING OF REZONING HEARINGS

The County Administrator stated that in view of reorganization and reassignments in the Office of Planning and Zoning, it was the recommendation of the Director of Planning and Zoning, Frank Gerred, that rezoning hearings be scheduled before the Commissioners on the third Tuesday of the month.

The Commissioners agreed to try this scheduling and see if it is feasible.

CLEARINGHOUSE PROJECT NO. 82-11-97  
FmHA HOUSING LOAN - LONDONTOWNE APARTMENTS

The County Administrator presented the referenced clearinghouse project and advised that it has been reviewed by the Public Housing Coordinator. The Commissioners agreed to forward it to the State with the comment that it is not inconsistent with this agency's plans, programs or objectives and with the following additional comments:

1. That St. Mary's County prefers homeownership whenever possible;
2. That the referenced project must go through the County's review process and must obtain all county permits.

DISCOUNT TRANSPORTATION SYSTEM  
SENIOR CITIZENS

The County Administrator presented a request from the State Office on Aging for the County's participation in a State-Wide Transit Discount Program for Senior Citizens. Mr. Kessler of Kessler Bus Lines, has agreed to cooperate in the effort.

Commissioner Millison moved, seconded by Commissioner Arnold, to approve the Discount Transit Program for Senior Citizens. All Commissioners voted in favor.

IN-HOUSE SERVICES COORDINATOR POSITION  
OFFICE ON AGING

The County Administrator advised the Commissioners that the Office on Aging has received notification from the State of an additional \$6,000 coming to the County and it is requested that these funds be used for a contract position, In-House Services Coordinator. Because of the limited amount of funds available, this position was not included in the Budget.

In view of the Commissioners' previous commitment that any additional funds be used for unbudgeted positions, Commissioner Sayre moved, seconded by Commissioner Arnold, that the \$6,000 be used for the In-House Services Coordinator position for as long as the funds last. All Commissioners voted in favor.

AQUAFOODS INTERNATIONAL  
PERMIT FOR USE OF GROUNDWATER

The County Administrator advised the Commissioners that the Preliminary Findings by the State has been completed and if the County would like to appeal the recommendations, an application can be filed for a verbal testimony hearing before the Secretary of Water Resources Administration.

After some discussion, the Commissioners advised that they would inform the County Administrator if they were going to submit an appeal.

MARY O. CALLAWAY REZONING (ZONE #79-261)

Present: Frank Gerred, Director, Office of Planning and Zoning  
Mary O. Callaway

Mr. Gerred appeared before the Commissioners with Mrs. Callaway with regard to Rezoning Resolution No. Z-81-15 which was adopted by the Board of County Commissioners on November 24, 1981. Mrs. Callaway stated that she was of the opinion that the amount of acreage cited in the Resolution was incorrect, that it should be stated as 6.30 acres instead of 4.09 acres.

After discussion, the Commissioners agreed to prepare an amended Resolution correcting the amount of acreage to 6.30 acres.

Later in the meeting upon completion of the appropriate Resolution, the Commissioners unanimously agreed to approve and sign Zoning Amendment Resolution No. Z-81-18 (Mary O. Callaway, ZONE #79-261) correcting the amount of acreage from 4.09 to 6.30 acres. Commissioner Dean abstained.

IRREVOCABLE LETTER OF CREDIT  
AMBER HOUSE

Present: John Norris, County Engineer

Mr. Norris advised that the Irrevocable Letter of Credit for Amber House expires on December 31, 1981 and therefore presented an amended Letter of Credit extending the deadline to December 31, 1982 for Commissioner President Aud's signature.

Commissioner Millison moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign said Irrevocable Letter of Credit. All Commissioners voted in favor.

ELECTRICAL MODIFICATIONS  
ST. MARY'S COUNTY JAIL  
PROJECT NO. SM 82-4-6

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the referenced project and requested the Commissioners to acknowledge the lowest bidder, William C. Mattingly, in the amount of \$5,775. Mr. Norris recommended that the contract be awarded to Mr. Mattingly contingent upon his understanding of the specifications of the contract.

Commissioner Millison moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendations as set forth above and further to authorize him to proceed with the contract. All Commissioners voted in favor.

GASOLINE POWERED SNOW THROWER

Present: John Norris, County Engineer

Mr. Norris presented the bid tally sheet for the purchase of a gasoline powered snow thrower and recommended awarding the bid to McKay Implement & Truck Company.

Commissioner Millison moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation. All Commissioners voted in favor.

ODD-JOB PAINTING PROJECTS

Present: John Norris, County Engineer

Mr. Norris recommended to the Commissioners that some of the janitors who do commercial painting be hired on an hourly contract basis to do some of the odd-job painting for the County. The Commissioners concurred and Mr. Norris advised that he would prepare the contracts for the Commissioners' review and signatures.

STORM DRAINAGE IMPROVEMENTS  
SHANGRI-LA DRIVE

Present: John Norris, County Engineer

Mr. Norris reviewed the proposed plans for the highway improvements that will be done in conjunction with the storm drainage work on Shangri-La Drive. He stated that he will be meeting with the businessmen in that area to show them what will be done in front of their places of business.

SPRING VALLEY STORM DRAINAGE WORK

Present: John Norris, County Engineer

Mr. Norris reviewed the plans for the storm drainage work in Spring Valley and advised the Commissioners of the flood plain and of what development will be occurring upstream.

For the Commissioners information Mr. Norris indicated that the flood plain could accept the water in the developed watershed adequately to the 100-year flood plan. He stated that the problem was getting the run-off from the two developments (Londontowne and Valley Drive Estates) to the receiving flood plain. This has not been resolved to date.

EXECUTIVE SESSION

Present: John Norris, County Engineer  
Edward V. Cox, County Administrator

The Commissioners agreed to meet in Executive Session in order to discuss a matter of personnel. The Session was held from 11:45 a.m. to 12:35 p.m.

MARYLAND ROCK INDUSTRIES  
INDUSTRIAL REVENUE BONDS

Present: Frank Gerred, Director, Office of Planning and Zoning  
Warren Rich, Attorney for Md. Rock Industries  
Steve Nelson, Md. Rock Industries  
Senator Paul J. Bailey, Attorney for Md. Rock Industries

The referenced representatives from Maryland Rock Industries appeared before the Commissioners to review the proposed Resolution authorizing the execution of an Agreement pertaining to the financing of a sand and gravel facility for use by Maryland Rock Industries. Mr. Rich indicated to the Commissioners that Maryland Rock will be purchasing the Langenfelder sand and gravel operation located on Breton Bay and therefore will terminate its application, a dredging permit from the Army Corps of Engineers.

After review of the Resolution and the Agreement the Commissioners requested an amendment to the Agreement that a condition be placed in the Agreement stipulating the Commissioners' concurrence with the operation only in the utilization of the Langenfelder property.

After discussion, it was agreed that the Agreement to be attached as Exhibit I to the Resolution be amended as follows:

MARYLAND ROCK INDUSTRIES (Cont'd.)

Paragraph A - (Add: "These bonds are issued upon the condition that all access to waterway transportation of sand and gravel will be limited to use of the loading and shipping area of the property currently known as the Breton Bay Sand and Gravel Processing Site on Breton Bay. In no event shall loading or shipping facilities be located or constructed on properties fronting on the Potomac River."

Add Item 4 on last Page: "This Agreement will be binding upon the Project Owner, its successors, heirs and assigns and will be recorded among the land records of St. Mary's County.

Later in the meeting upon completion of the amendment document, Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Resolution No. 81-105 along with the attachment Agreement as Exhibit I. All Commissioners voted in favor.

Commissioner Dean noted for the record that the Commissioners are approving this with the understanding that the bonds as they may ultimately be issued would be in conformance with the appropriate state statute and that all terms of the Resolution and Exhibit I would in fact be met and further that there will be a formal issuance of the bonds approved by the Commissioners at a later date.

In addition, the Commissioners requested, and Mr. Rich agreed, to deliver a corporate resolution from Maryland Rock Industries committing the corporation to the terms and conditions of the Resolution and Agreement, especially the restriction to access to waterway transportation described in the Agreement and the prohibition against dredging and loading facilities fronting the Potomac River.

GARVEY CENTER  
SENIOR SERVICES CENTER

The County Administrator reviewed with the Commissioners an Agreement between St. Mary's County and Social Security Administration for the use of certain space at the Garvey Center to provide services to the senior citizens. The Social Security Administration agrees to reimburse the County for the use of said space.

The Commissioners directed that funds generated from this Agreement be considered General Revenue and accounted for accordingly rather than income to a program.

REZONING HEARING  
ZONE NO. 81-0606  
JOHN YERKIE, JR.

Present: Karen Abrams, Attorney for Applicant  
Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

Application requesting rezoning of approximately 4.2 acres located on the west side of Md. Rt. 5, approximately 1 mile north of Md. Rt. 6, Turner Road, Fifth Election District, Tax Map 4, Parcel 85, currently zoned AR-2, Agricultural Residential, to C-2, Commercial.

The Commissioners conducted a hearing on the referenced Application.

The complete record, tape and minutes are on file in the Office of Planning and Zoning.

REZONING HEARING  
ZONE NO. 81-1150  
PETER A. GRIFFIN/LESTER E. PIERCE

Present: Karen Abrams, Counsel for applicant  
Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary  
Stephen Vallaningham  
Eleanor Fortney

Application was made requesting rezoning of property located on Md. Rt. 5, 2 miles north of Leonardtown in the Third Election District, containing approximately 3.5 acres, on Tax Map 32, Block 15, Parcels 276 and 344, from AR-2, Agricultural-Residential, to C-2, Commercial.

The Commissioners conducted a hearing on the referenced Application.

The complete record, tape and minutes are on file in the Office of Planning and Zoning.

GREENVIEW KNOLLS (STSP 81-0158)  
REQUEST FOR ADDITIONAL SEWER ALLOCATION

Present: Frank Gerred, Director, Office of Planning and Zoning

Mr. Gerred advised the Commissioners that the referenced Site Plan has received final approval by the Planning Commissioner on December 14, 1981 and approval is needed by the County Commissioners for 20 additional units for sewer allocation. The Metropolitan Commission has given assurances that the allocation is available.

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GREENVIEW KNOLLS (STSP 81-0158) (Cont'd.)

The Commissioners agreed to defer a decision on this request until a later date.

The meeting adjourned at 3:30 p.m.

Approved,

  
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George B. Aud  
President