

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, April 20, 1982

Present: Commissioner George R. Aud, President  
Commissioner David F. Sayre  
Edward V. Cox, County Administrator  
Judith A. Mullins, Recording Secretary

(Commissioners Larry Millison and Ford Dean were not present at the beginning of the meeting.)

(Commissioner Richard D. Arnold was not present at the meeting.)

The meeting was called to order at 9:10 a.m.

SIXTH GRADE STUDENTS FROM FR. ANDREW WHITE SCHOOL

Present: Jane Bailey, Sixth Grade Teacher, FAW  
Sixth Grade Class, FAW

As part of a class project on local government, the Sixth Grade class from Father Andrew White visited the Commissioners and asked various questions relative to road repairs, snow removal, and the position of County Commissioner. The Commissioners expressed their appreciation for the interest shown by the students and invited them to return to any future meetings.

CORRESPONDENCE TO STATE HIGHWAY ADMINISTRATION  
TRANSSHIPMENT OF SAND AND GRAVEL

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the State Highway Administration acknowledging the request by James Bean, Sr. of the Base Company to use Leonardtown Wharf for the transshipment of sand and gravel and stating that the Commissioners have no objection to the permit application.

LETTERS OF APPRECIATION

The Commissioners agreed to sign and forward letters of appreciation to the following individuals who have resigned from one of the County's Boards, Committees or Commissions: F. Michael Harris, Human Relations Commission; Theron Davidson, Walden Advisory Commission; Daniel Donnally, Soil Conservation Service.

GENERATOR FOR BOOKMOBILE

In response to a request from the Southern Maryland Regional Library Association for emergency funds for a replacement generator for the bookmobile, Mr. O'Dell, Director of Budget and Data Services, submitted a memorandum recommending that the Library Board utilize a part of the FY 81 surplus from the Library's Account in the amount of \$12,384 for this purpose.

Commissioner Aud agreed to sign correspondence to the Library Association setting forth the above action.

(Commissioner Millison entered the meeting.)

APPROVAL OF VOUCHERS

Commissioner Aud moved, seconded by Commissioner Millison, to approve payment of the bills as submitted by the Director of Finance. Motion unanimously carried.

APPROVAL OF MINUTES

Commissioner Aud moved, seconded by Commissioner Millison, to approve the minutes of the Commissioners' meeting of April 16, 1982 as submitted. Motion unanimously carried.

APPRENTICESHIP TRAINING PROGRAM (BUILDING TRADES)

Present: Ted Sherwood, Taylor Plumbing and Electric  
Victoria Shinaberry, Director of Education, Associate Builders  
and Contractors, Inc.

The referenced individuals appeared before the Commissioners to request their support of an Apprenticeship Program in St. Mary's County. Ms. Shinaberry explained the concept of the program and the benefits to the apprentice, the contractor and to the County. She advised that the Associate Builders & Contractors, Inc. Apprenticeship Program is an approved and accredited program by the Maryland Apprenticeship and Training Council. Funding is available to initiate the program through the State Board of Education. She stated that it was important to stimulate interest in the Program throughout the County and to obtain support of the constructors in the County, which at this time is minimal.

The Commissioners suggested that a meeting be arranged with the Economic Development Commission, Board of Education, Employment Security Administration and local contractors for an explanation and discussion of the Apprenticeship Program. The County will make the necessary arrangements for the meeting and Ms. Shinaberry stated that she would invite contractors from other counties that have participated in the Program and have been successful.

REVIEW OF LEGISLATION

Present: Delegate John William Quade

Delegate Quade appeared before the Commissioners to review the bills submitted by St. Mary's County and advised that all County bills passed and are awaiting signature by the Governor. In addition, Delegate Quade updated the Commissioners on state funds being made available to the tri-county area and in particular funds for the Maryland Veterans Home, the St. Clement's Island Potomac Museum heating and air conditioning, and the highway program. He stated that because of the additional funds for the highway program, construction for the Rt. 235 dualization project has been moved from the Spring of 1984 to the Spring of 1983.

PROGRAM OPEN SPACE  
GRANT APPLICATION  
LEONARDTOWN AND LAUREL GROVE PARKS

Present: John V. Baggett, Director, Recreation and Parks

Mr. Baggett presented for the Commissioners' review and approval a Grant Application for the Resurfacing of the tennis courts at the parks in Leonardtown and Laurel Grove.

Commissioner Sayre moved, seconded by Commissioner Millison, to approve and authorize Commissioner President Aud to sign said grant application. All Commissioners voted in favor.

NICOLET PARK - LIGHTING PROBLEM

Present: John V. Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners of the vandalism problem with the lights at Nicolet Park - bulbs being shot out and poles being sawed down - and recommended that Southern Maryland Electric Cooperative, Inc. be requested to remove the electric poles and lights and take the County off the contract. The Commissioners gave their concurrence.

MAINTENANCE DREDGING ON THE CHESAPEAKE BAY  
DEEP CREEK TIDAL INLET

Present: John B. Norris, Jr., County Engineer

Mr. Norris presented correspondence to the Army Corps of Engineers for Commissioner President Aud's signature requesting that St. Mary's County be granted a permit to periodically dredge sand material from the mouth of Deep Creek Tidal Inlet near Scotland Beach on the Chesapeake Bay.

The Commissioners authorized Commissioner President Aud to sign said letter.

APPROVAL OF VOUCHER  
STATE HIGHWAY ADMINISTRATION

Present: John B. Norris, Jr., County Engineer

Mr. Norris presented Voucher No. 041604 payable to the State Highway Administration in the amount of \$64,008.66 for highway maintenance. The Commissioners gave their approval of said voucher.

ROAD RESOLUTION NO. R82-12  
OLD ROUTE 235

Present: John B. Norris, Jr., County Engineer

Mr. Norris presented the referenced Road Resolution posting Old Route 235 at 35 miles per hour from its intersection with Md. St. Rt. 235. The Commissioners gave their concurrence to approve said Road Resolution.

CHANGE ORDER NO. 1  
DISTRICT COURT RENOVATION

Present: John B. Norris, Jr., County Engineer

Mr. Norris presented the referenced Authorization for Extra Work No. 1 in the amount of \$831.22 payable to Elec-Con Corporation for the installation of a telephone conduit.

The Commissioners gave their concurrence to approve said Change Order.

WIDENING OF FATHER ANDREW WHITE ROAD

Present: John B. Norris, Jr., County Engineer

Mr. Norris advised the Commissioners that in the Asphalt Overlay Project, Father Andrew White Road, where it ties into Snow Hill Manor Road, needs to be widened. He stated that a little more than an acre is needed from Mrs. Anne Haskell in order to complete this project. The Commissioners gave their authorization for Mr. Norris to prepare an Agreement setting forth all the particulars and return to the Commissioners for review.

STATE'S ATTORNEY'S OFFICE  
GRANT APPLICATION RENEWAL  
COOPERATIVE REIMBURSEMENT PROGRAM

The County Administrator presented the referenced Grant Application for the Commissioners' review and approval.

After review and discussion, Commissioner Aud moved, seconded by Commissioner Millison, to approve and sign the referenced Grant Application Renewal for the Cooperative Reimbursement Program.

CORRESPONDENCE TO TIDEWATER ADMINISTRATION  
HYDROLOGIC STUDY OF ZEKIAH SWAMP

The Commissioners agreed to sign and forward correspondence to the Tidewater Administration formally endorsing the Charles County proposal of a hydrologic study of the Zekiah Swamp.

FISCAL CLERK II POSITION  
OFFICE OF HOUSING AUTHORITY

The Commissioners reviewed a memorandum dated April 19, 1982 from the Personnel Officer recommending the selection of Brenda Hewitt to fill the Fiscal Clerk II (Grade 7) position in the Housing Authority Office, effective April 26, 1982. Commissioner Aud moved, seconded by Commissioner Millison, to accept the Personnel Officer's recommendation as set forth above.

APPOINTMENT OF PLANNER  
OFFICE OF PLANNING AND ZONING

The Commissioners reviewed a memorandum from the Personnel Officer dated April 19, 1982 recommending the selection of Robert Guyther to the position of Planner (Grade 15) in the Office of Planning and Zoning, effective April 26, 1982. Commissioner Millison moved, seconded by Commissioner Sayre, to accept the Personnel Officer's recommendation as set forth above.

AREA AGENCY ON AGING PLAN REVISION

The Commissioners discussed the revision of the referenced Plan as presented by Mrs. McGaharn, Senior Services Coordinator, on April 13 as well as the memorandum from Mr. O'Dell, Director, Budget and Data Services related thereto. The Commissioners agreed that the recommendations of Mr. O'Dell should be incorporated in further revisions and represented to the Board of County Commissioners for approval.

REZONING RESOLUTION NO. Z82-10  
L. JOSEPH MILLS - ZONE #81-1525

(Application to rezone from R-1, Rural Residential, to C-2, Extensive Highway Commercial, a tract of land containing 2.048 acres, more or less, located on Abell Road, .03 miles from Md. Rt. 242, Parcel 86, Block 6, on Tax Map 46, Seventh Election District.)

Commissioner Aud moved, seconded by Commissioner Sayre, to approve and sign said Zoning Resolution No. Z82-10 approving the requested zoning. Motion unanimously carried.

RIDGE VOLUNTEER FIRE DEPARTMENT

The County Administrator advised the Commissioners that the Ridge Volunteer Fire Department has requested that their loan repayment be delayed until September 1982 rather than May 1982 and Mr. O'Dell, Director, Budget and Data Services, has recommended granting this request. The Commissioners gave their concurrence.

ST. MARY'S BENEFIT AIR FAIR DAYS  
PROCLAMATION NO. P82-18

Present: Ken Rossignol

Mr. Rossignol advised the Commissioners that the Air Fair Benefit Association is in the process of re-establishing the Air Fair and the Airport Commission has approved the use of the Airport for this purpose.

The Commissioners presented a Proclamation to Mr. Rossignol designating September 11 and 12, 1982 as St. Mary's County Benefit Air Fair Days in St. Mary's County.

PROCLAMATION NO. P82-14  
ADULT HIGH SCHOOL DIPLOMA PROGRAM WEEK

Present: General Education Development (GED Program) Staff  
GED Graduates

The Commissioners presented the referenced proclamation designating the week of April 20-27, 1982 as Adult High School Diploma Program Week.

PROCLAMATION NO. P82-16  
FARM CITY DAY

Present: Winifred Dixon, Chairman

The Commissioners presented the referenced Proclamation designating April 30, 1982 as Farm City Day in St. Mary's County.

PROCLAMATION NO. P82-11  
NATIONAL VOLUNTEER WEEK

The Commissioners presented the referenced Proclamation declaring the week of April 18-24, 1982 as National Volunteer Week in St. Mary's County.

REZONING HEARING  
ZONE #81-1333  
CHURCH OF CHRIST OF LEXINGTON PARK

Present: Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

Request to rezone approximately 7.54 acres located on Great Mills Road, Eighth Election District, Tax Map 51, Block 7, Parcel 77, from R-2, Low Density Urban Residential, to C-2, Extensive Highway Commercial.

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

PUBLIC HEARING  
ZONE #82-0282  
MINOR SUBDIVISIONS

Present: Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

(Changes to Zoning Ordinance and Subdivision Regulations to provide notice to buyers, adequate site distances and utility access in Minor Subdivisions, and to correct the text of the Zoning Ordinance.)

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

PUBLIC HEARING  
ZONE #82-0112  
AGRICULTURAL PROTECTION

Present: Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

(Add to Sections 31.00.1 and 32.01.1 of the Zoning Ordinance the following: "The farmer has the right to farm without being restricted by neighboring residential areas. Hours of operation of farm equipment, restricting odor-producing fertilizers or mandatory noise reductions may not be imposed on a farmer in the AR (and R-1) zoning district. The general intent of the AR (and R-1) district is to encourage farming in the County without undue burden on the landowner.")

ZONE #82-0112 AGRICULTURAL PROTECTION (Cont'd.)

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

(Commissioner Dean entered the meeting.)

ZONING DECISION DISCUSSION

ZONE #82-0013

TAKE-IT-EASY RANCH

Present: Frank Gerred, Director, Office of Planning and Zoning  
Anita Meridith, Recording Secretary

Request for rezoning of property located on Take-It-Easy Ranch Road, Callaway, in the 2nd Election District on Tax Map 57, Block 6, Parcel 23. The property contains approximately 222.82 acres. The request is to rezone from AR, Agricultural-Residential, to CP, Camper Park.

Commissioner Dean motioned, seconded by Commissioner Sayre, that the County Attorney be instructed to prepare the appropriate resolution approving the request for rezoning to CP, Camper Park, with the following condition: That if additional camper pads or additional Building Permits are applied for, that a detailed, site plan be submitted for the entire parcel. This would be consistent with the staff's recommendation and the recommendation of the Planning Commission.

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

APPLICATION PROCEDURES FOR INDUSTRIAL REVENUE BONDS

Present: David W. Morgan, Economic Development Coordinator

Mr. Morgan presented and reviewed with the Commissioners a draft of the Application Procedures for Industrial Revenue Bonds and requested their comments and input. Mr. Morgan explained that the purpose of this document was to set forth the process for review, approval and completion of proposed applications for financial assistance through IRB's. (A copy of the Application Procedures is on file in the Commissioners' Office.)

After discussion of the document and certain recommended amendments, the Commissioners advised that they would give further review and make any additional comments at next week's meeting.

TAXPAYERS' ASSOCIATION - COUNTY TAX RATE

Present: J. Claude Jarboe, President, Taxpayers' Association  
Clarence Bell  
Betty Robrecht

The referenced members of the Taxpayers' Association appeared before the Commissioners to request that the Board give consideration to setting the Tax Rate for FY 82 at \$1.91, the constant yield tax rate, instead of \$1.99 as proposed in the FY 82-83 Recommended Budget. Mr. Jarboe submitted petitions signed by approximately 1,000 county residents supporting this request. The Commissioners thanked the representatives for their presentation and advised that a decision would be made after the Public Hearings and during the budget finalization process.

ENERGY CODE DISCUSSION

Present: Charles Wible, So. Md. Electric Cooperative, Inc.  
George Wiggins, Middle Department Inspection Agency  
Kirk Sterling, Chairman, Electrical Examiners Board

The referenced individuals appeared before the Commissioners to explain the newly enacted Maryland Legislation (H.B. 748) entitled "The Energy Conservation Building Standards Act", which will be effective July 1, 1982 and further to discuss its implications to St. Mary's County. The purpose of the Law is that if a County has not adopted the BOCA Energy Code, it is required that certification be submitted to electric companies that new buildings meet the energy conservation standards.

Mr. Wiggins submitted copies of the legislation and a paper setting forth (A) Highlights of the bill; (B) Implications and (C) Recommendations, which include adoption of the BOCA Energy Code and a plan for Middle Department Inspection Agency to conduct the energy inspection along with the electrical inspection.

Commissioner Dean summarized the proceedings by stating that it appeared that if the County adopts the BOCA Energy Code, the law does not apply; however, if the County does not adopt the Code then the builder of a house has to certify that it was built according to the Code. Commissioner Dean further stated that if the Code was adopted, the only added cost passed on to the buyer would be the cost of inspection, \$25, to insure that the house was built in accordance with the Energy Code.

After discussion, the Commissioners agreed to set in motion the process of a public hearing regarding the adoption of the BOCA Energy Code and that the Office of Planning and Zoning be advised of this action.

GREENVIEW KNOLLS DEVELOPMENT PLAN

Present: Thomas Daugherty  
Larry Petty, Metropolitan Commission  
Steve King, Metropolitan Commission

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

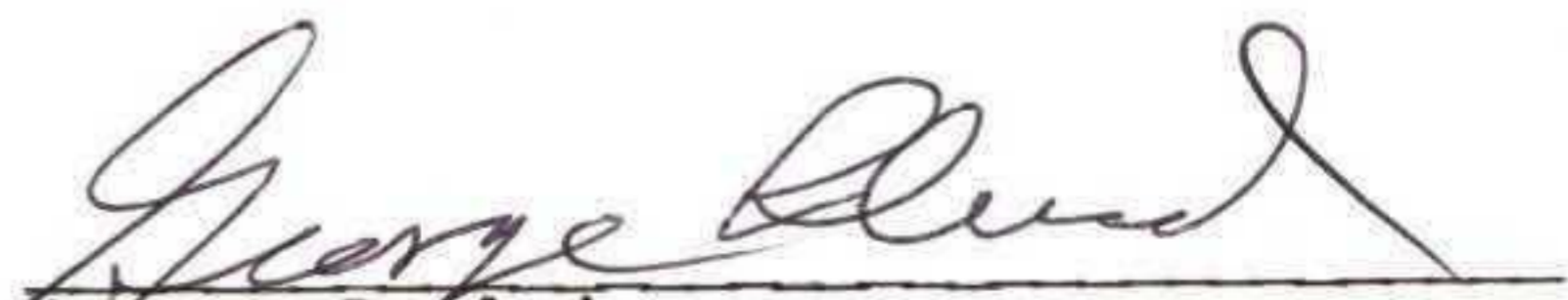
EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator  
Gerda Manson, Personnel Officer

The Commissioners agreed to meet in Executive Session. The Session was held from 4:20 p.m. to 5:00 p.m.

The meeting adjourned at 5:00 p.m.

Approved,

  
George R. Aud  
President