

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 13, 1985

Present: Commissioner Larry Millison, Vice President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner President George Aud was not present due to illness.)

CALL TO ORDER

The meeting was called to order at 9:20 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, August 6, 1985. Motion carried.

APPROVAL OF BILLS

Commissioner Millison moved, seconded by Commissioner Sayre, to approve payment of the bills as submitted. Motion carried.

PROCLAMATION NO. 85-55
ST. MARY'S COUNTY BENEFIT AIR FAIR MONTH

Present: Sue Gelrud
Janet Cook

The Commissioners presented the referenced Proclamation designating the Month of September as St. Mary's County Benefit Air Fair Month in order to raise funds for Walden Counseling Center and Hollywood Rescue Squad.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CLEARINGHOUSE PROJECTS

The County Administrator presented the following clearinghouse projects for review by the Board and recommended that they be submitted to the State with the comment that they are consistent with this agency's plans programs and objectives:

- a) No. MD 850801-0851
St. Mary's Nursing Home
- b) No. MD 850718-0825
Possible Deauthorization of Navigation Project
for St. George's Creek

The Commissioners agreed to accept the County Administrator's recommendation.

2) PUBLIC WORKS AGREEMENT

On behalf of the Director of Public Works the County Administrator presented a Public Works Agreement by and between Benjamin H. Burroughs Jr. and St. Mary's County, Maryland guaranteeing completion of East Lakeland Drive and Yowaiski Mill Road in Country Lakes Subdivision, Fourth Election District by August 1, 1986. The developer has given a check in the amount of \$35,000 which will be replaced by an Irrevocable Letter of Credit.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and authorize Commissioner Vice-President Millison to sign the Agreement. Motion carried.

3) HOUSING VOUCHER PROGRAM

On behalf of the County's Department of Economic & Community Development, the County Administrator presented correspondence for the Commissioners' review and signature addressed to the Department of Housing and Urban Development approving the application for the Housing Voucher Program.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign said letter.

4) BUILDING AUTHORITY COMMISSION

As a follow up to last week's request by the Building Authority for approval of four items, Commissioner Dean moved, seconded by Commissioner Arnold, to approve the items as set forth below:

- a) By-Laws of the Commission;
- b) Memorandum of Understanding by and between St. Mary's County Building Authority Commission and the State of Maryland regarding leasing of a new building at the Governmental Center for state offices.
- c) Advanced funding from the County for certain costs preceding the bond sale and to be repaid from bond proceeds.
- d) The assignment of county staff to support the Building Authority Commission.

Motion carried.

Commissioner Dean further moved, seconded by Commissioner Arnold, that the County Administrator be assigned to coordinate staff support and as such be authorized to assign other county staff as needed. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Joseph Densford, Assistant County Attorney
Frank Gerred, Director, Office of Planning & Zoning
James Weber, Chief Permits and Inspection

Commissioner Dean moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of litigation. Motion carried. The Session was held from 9:55 a.m. to 10:50 a.m.

BASE COMPANY APPEAL

Present: Joseph Densford, Assistant County Attorney
Frank Gerred, Director, OPZ

Following the Executive Session, Mr. Densford explained the Base Company's appeal of the Board of Appeals' decision to deny the installation of a concrete or asphalt plant at their operation in Red Gate.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, that the County participate in the case in a manner as a Friend of the Court for the purpose of explaining the County's interpretation of the Zoning Ordinance in this matter and not take a position one way or the other on the individual case. The Court's decision would be either that the Ordinance does permit a concrete or asphalt plant in conjunction with the approved gravel operation or it does not. Any individual case would be decided on its own merit by the Board of Appeals. It was the Commissioners' intent when the Zoning Ordinance was amended that asphalt and concrete plants may be allowed if the Board of Appeals find the appropriate conditions as part of the gravel operation as a conditional use. Motion carried.

ADJOURNMENT

The meeting adjourned at 10:58 a.m.

Approved,


George R. Aud
President