

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, June 17, 1986

Present: Commissioner George R. Aud, President
 Commissioner Ford L. Dean
 Commissioner David F. Sayre
 Edward V. Cox, County Administrator
 Margaret Nelson, Recording Secretary

(Commissioner Richard D. Arnold was not present due to illness).

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre to approve the minutes of the Commissioners' meeting of Tuesday, June 10, 1986 after one correction on page 3 under FY-86 Audit which Commissioner Dean stated was not a unanimous decision due to the fact that he abstained from the vote because of the firm of Cox, Long and Colvin having been his auditor. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1. CHAMBER OF COMMERCE

The County Administrator presented correspondence dated June 17, 1986 to the Chamber of Commerce concerning support of the Chamber of Commerce's Tourism proposal establishing the Chamber as lead agency for Tourism in St. Mary's County. Commissioner Dean requested the correspondence to be tabled for further discussion.

2. ARTS COUNCIL BOARD

The County Administrator presented correspondence dated June 16, 1986 to Mrs. Betty Wilson, Chairman, St. Mary's County Arts Council which indicated the appointment of Mr. John V. Baggett, Director of Recreation and Parks as county government's official representative to serve on the Arts Council Board. The Board gave unanimous approval.

3. APPOINTMENT OF BUILDING MAINTENANCE MECHANIC II
DEPARTMENT OF PUBLIC WORKS

The County Administrator presented a Memorandum from the Personnel Officer recommending the appointment of Bernard A. Alvey to the Building Maintenance Mechanic II position, grade 7-0 at a salary of \$13,158 effective June 23, 1986. Commissioner Sayre moved, seconded by Commissioner Aud to approve the appointment. Motion carried.

4. CIRCUIT RIDER GRANT APPLICATION
MARYLAND DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

The Board gave unanimous endorsement of the "circuit rider" grant application submitted by Tri-County Council on behalf of the towns of Indian Head and Leonardtown for effective use of public funds to improve the professional services of Leonardtown.

5. LEASE AGREEMENTS
DISTRICT COURT AND ASSESSMENT AND TAXATION

Commissioner Dean moved, seconded by Commissioner Sayre to authorize the President of the Board to sign the Lease Agreements for District Court and Assessments and Taxation for use of office space at the courthouse. Motion carried.

6. POTOMAC RIVER ASSOCIATION
DISCHARGE OF SEWAGE EFFLUENT INTO GROUNDWATER

The Board was in unanimous agreement to forward correspondence to Mr. Patrick William O'Donnel, Vice-President of the Potomac River Association informing that the Board has no plan at this time to proceed with the \$150,000 technical study concerning groundwater discharge.

7. CABLE TV STUDY GROUP

The County Administrator informed the Board that on April 28, 1986 he recommended the appointment of a Cable TV Study Group to develop a telecommunications ordinance addressing Cable TV which concept was approved, but those members were not appointed. By correspondence dated June 17, 1986 the County Administrator recommended the following membership:

1. St. Mary's County Public Schools - nominee.
2. Chamber of Commerce - nominee.
3. Assistant County Attorney - Joseph R. Densford.
4. Citizen - Sydney Wood.
5. Citizen - Wilmer Bowles.

Commissioner Aud moved, seconded by Commissioner Dean to approve the Study Group as recommended by the County Administrator. Motion carried.

8. STATE'S ATTORNEY
COOPERATIVE REIMBURSEMENT GRANT PROGRAM BUDGET CHANGE

Commissioner Sayre moved, seconded by Commissioner Dean to modify referenced grant for the State's Attorney to purchase word processing equipment by using unexpended funds in the salaries account transferred to equipment. Motion carried.

OFFICE ON AGING
GRANT MODIFICATION
TRANSPORTATION OF THE ELDERLY AND HANDICAPPED

Commissioner Sayre moved, seconded by Commissioner Dean to approve the grant modification for Transportation of the Elderly and Handicapped to allow purchase of a van instead of a station wagon. Motion carried.

MEMORANDUM OF UNDERSTANDING BETWEEN THE
NAS HOSPITAL, PATUXENT RIVER, MARYLAND AND
ST. MARY'S VOLUNTEER RESCUE SQUAD AND FIRE DEPARTMENT

The County Administrator presented for approved a Memorandum of Understanding to continue emergency medical services between Naval Air Station Hospital at Patuxent River and St. Mary's County Rescue Squads. After discussion, Commissioner Dean requested that Assistant County Attorney Densford check into the county's liability before approval of the Memorandum, and to explain why the County Commissioners are parties to the Agreement.

PROJECT GRADUATION

Present: Lieutenant Plunkert, Maryland State Police
Lieutenant Short, Maryland State Police
Florence Ballengee, Project Coordinator
Dwight Chakales, Board of Education

A report was presented on the success and effectiveness of the Project. A video was made of the 1986 Project Graduation, and once edited, the Maryland State Police will present a showing to the Board. The State Police and State's Attorney's Office are trying to make this a statewide project. The Commissioners were thanked for their support. The State Police and State's Attorney's Office were commended by the Board for their ability to make the Project so successful.

EXECUTIVE SESSION

Commissioner Aud moved, seconded by Commissioner Sayre to enter into executive session on personnel matters. Motion carried. Also present were Edward V. Cox, County Administrator and Joseph P. O'Dell, Director of Budget and Data Services. Executive session began at 9:45 a.m. and ended at 10:12 a.m.

PINEY POINT REZONING

SEWAGE PUMP-OVER LINES TO LEXINGTON PARK

Present: Larry Petty, Director of Metropolitan Commission
Frank Gerred, Director of Planning and Zoning

Mr. Petty requested County Commissioner action to rezone property from R-1 residential to A[-1] near the Piney Point sewage pumping station in order to upgrade it to a sewage treatment facility. The rezoning would have no change effect in that under R-1 zoning the average lot size must be one acre; the A[-1] zoning would set the minimum lot size as one acre. The consent agreement will not allow any new connections - only those now in existence will apply. At the recommendation of Mr. Gerred, the Board was in unanimous agreement to hold a joint hearing with the Planning Commission on the rezoning on July 14, 1986.

REGIONAL COMPUTERIZED MAPPING SYSTEM

Present: Frank Gerred, Director of Planning and Zoning

Mr. Gerred presented a proposal involving Calvert, Charles and St. Mary's Counties and Tri-County Council for Southern Maryland for the purpose of the development of a computerized mapping system for Planning and Zoning Departments of each county. Mr. Gerred explained that the data base could be compatible with St. Mary's County's to include the Health Department, the Metropolitan Commission and the Department of Public Works.

Mr. Gerred explained an amendment which states the mapping copier will be by equipment purchase or by contract services, whichever is less expensive.

Commissioner Dean made a motion, seconded by Commissioner Sayre authorizing the President of the Board to sign the letter of agreement after it has been prepared. Motion carried.

CHANGES TO MINOR SUBDIVISION REGULATIONS

Present: Frank Gerred, Director of Planning and Zoning
Robin Guyther, Planner

The Commissioners reviewed with staff of Planning and Zoning revisions to the proposed changes to the Minor Subdivision Regulations and reached agreement on the final amendments.

Staff will prepare a final draft and return to the Commissioners for further review and approval.

DESIGN STANDARDS FOR LAND DEVELOPMENT
PATUXENT RIVER PRIMARY MANAGEMENT AREA

Present: Frank Gerred, Director of Planning and Zoning
Robin Guyther, Planner

Mr. Gerred and Mr. Guyther discussed the design standards necessary to implement the Patuxent River Policy Plan, the purpose of which is to guide land development activities in a manner as to eliminate degradation of water quality in the estuary, and to preserve the scenic and recreational value of the estuary and its tributary streams.

The Commissioners were in agreement with the two options as presented, but staff was requested to clarify in the report that there are two options available for the design standards.

OFFICE ON AGING
AGENCY PLAN FOR PROGRAM ON AGING

Present: Billye McGaharn, Director

Mrs. McGaharn presented the Agency Plan for Program on Aging for FY 1987 and reviewed with the Commissioners various components and funding sources. The Commissioners thanked Mrs. McGaharn for her presentation and indicated that they would take action on the proposed Plan at their meeting of June 24, 1986. (Copy of the Plan is on file in the County Commissioners' office).

RETIREMENT
WALTER RAUM, DIRECTOR OF ENVIRONMENTAL HEALTH
ST. MARY'S COUNTY HEALTH DEPARTMENT

Present: Walter Raum
Dr. William Marek, Health Officer

The Board presented a commendation to Mr. Raum upon his retirement from twenty-six years of service with the St. Mary's County Health Department, and thanked him for his contribution to the Department and St. Mary's County.

PUBLIC HEARINGS
ZONE #86-0031: BURCH OIL

Commissioners present: George Aud, Ford Dean, and David Sayre. Commissioners Arnold and Millison were absent. Staff present included: Frank J. Gerred, Director, Robin Guyther, Planner, and Anita M. Meridith, Recording Secretary.

Members of the audience included: F. Elliott Burch, Jr., Harry Mentzer, Richard Marks and Dick Meyers.

Notice of the Public Hearing was advertised on Friday, May 30, 1986, in "The Enterprise" Newspaper, a publication of county-wide circulation, providing legal notice for the following public hearing(s):

ZONE # 86-0031: BURCH OIL COMPANY

Requesting rezoning of .71 acres from R-1, Rural-Residential, to C-2, Commercial. The property is the site of the ORAVILLE SHELL STATION located at the intersection of Maryland Routes 6 and 235, Mechanicsville, in the Fifth Election District, shown on Tax Map 13, Block 6, as Parcel 22.

Mr. F. Elliott Burch, Jr. came forward and presented for the record, the postal receipts from the certified letters of notification mailed to all contiguous property owners, marked Applicant's Exhibit No. 1. Mr. Burch verified that the property was legally posted with the placard, as provided by the Office of Planning and Zoning.

Mr. Guyther, Planner, OPZ, explained that the property in question was the site known as the Oraville Shell Station, currently zoned R-1, Rural-Residential. Staff recalled that during the Planning Commission's consideration, the applicant had based his request on the premise of mistake in the original zoning of the property, based on the fact that there had been on-going commercial operation(s) on the site for over thirty years (included full-service gas station, bar and convenience store). The Planning Commission subsequently forwarded a positive recommendation to the Commissioners, based on the staff's analysis and report and were of the opinion that the use of this property probably would not cease given the length of the on-going commercial operation and that fact that the property was situated on a primary county thoroughfare/intersection (Routes 235 and 6).

Mr. Burch advised that the only additional comment that he wished to add was that numerous commercial ventures had been conducted on this site even prior to the dualization of Route 235 and that the property also had been issued a liquor license. Mr. Burch acknowledged that while the company could legally continue the commercial use of this site under its current nonconforming status, they had opted to acquire the commercial zoning of the site, given the capital investment made in the property.

The Chair inquired whether anyone present wished to speak either in favor or opposition. Hearing no response, the public hearing was closed and the Chair advised that the matter would be taken under advisement and the Board would render a decision within the next several weeks.


Hearing closed.

ADOPTION OF RESOLUTIONS

Mr. Guyther presented several rezoning resolutions for the Board's consideration and approval. Following their review, Commissioner Sayre moved, seconded by Commissioner Dean, and unanimously passed, to approve Resolution No. 84-1307-A for J. Irving Knott/Take-It-Easy Villages. The application was denied.

Commissioner Dean moved, seconded by Commissioner Sayre, and unanimously passed, to approve Resolution No. 84-0977 for Jack Shriver/The Greenery. The application was approved.

Approved,


George R. Aud
President

