

March 11, 1969

Present: F. Elliott Burch
J. Wilmer Bowles
George R. Aud

The meeting convened at 9:30 a.m.

Planning and Zoning Ordinance

Mr. John Hodges, Chairman, and Mr. T. T. Pantaleo presented final recommendations on the proposed zoning regulations for St. Mary's County. Mr. Hodges stated that they hope that the Commissioners will approach this ordinance from a flexible angle and make any changes they feel are necessary, and his commission will be glad to meet with the Commissioners to conclude the matter. After any changes are recommended, then public hearings will have to be held. Final changes will be incorporated on a final map.

Mr. Hodges said they made a minor change concerning the airport site, by proposing that additional property be reserved for commercial development, in the future. In his commission's judgment, the area of the airport seems to fulfill present needs for sometime in the future. The boundaries on the map presented is what they are recommending, however, they are flexible in this matter and will make changes if the Commissioners so desire. The classification for this area is light industry which would exclude any heavy industry. Mr. Hodges mentioned that they have not designated any I2, Heavy Industry areas anywhere in the county.

Mr. Burch thanked Mr. Hodges and commended the Planning and Zoning Commission on the many long hours devoted to this project, and expressing the Commissioners appreciation of their efforts. He further stated that the Commissioners will contact Planning and Zoning regarding any changes that they (the Commissioners) contemplate. The Commissioners will review all of the material presented today and then arrange for the public hearings that must be held.

Mr. Hodges said he would like to add that it will be impossible to have a plan that will please everyone. We will have to live with some imperfections, and it is important that we have a primary tool to control development in the county. He feels that this ordinance will provide that tool, and that the need is so critical that something should be done to implement the ordinance as soon as possible.

Parks and Recreation

Mr. Burch reported that he had spoke with Mr. W. Schmalgemeyer about accepting appointment to this board and the latter is not interested. Mr. Burch stated that after giving this matter some thought, it is his feeling that Capt. J. Henderson should be reappointed to the board, as he has expended a great deal of time and effort, done a great deal of traveling, etc. and was completely familiar with all of the proposed projects. After general discussion, Mr. Burch made motion that Capt.

Henderson be reappointed. Mr. Bowles stated that his position is still that each area of the county should be represented, and objected to the Captain's reappointed on the basis that he feels someone from the 6th district should be on the committee. Mr. Burch asked for a second to his motion, seconded by Mr. Aud and passed. Capt. Henderson will be reappointed for a 4 year term to expire December 31, 1972.

At this point Mr. Williams came into the meeting.

Maypole Road

The Commissioners were advised that Mr. J. D. Raley, Jr. had telephoned to report that it would cost \$7,800 to reopen this road, and he will send a letter to this effect. After some discussion, it was agreed that no decision would be made until after the letter is received, and this can be discussed with Mr. Raley to determine what will be done.

Sanitary Fill Property

Mr. Williams reviewed law, and advised the Commissioners that they can legally acquire property for public use and purposes, such as the property being considered for purchase from Mr. R. Heath. There are 31 acres involved and Mr. Heath is willing to sell the property for \$10,500 and will come down to discuss this with the Commissioners.

CATV

Mr. O. Guyther, Mr. R. Cole, Mr. Smith (attorney for Mr. Cole). Mr. Guyther stated that these people have a general franchise in Virginia for a CATV facility, and reviewed letter that was sent to these people in 1966 regarding the matter of a franchise in St. Mary's County, and at that time they proceeded to get a building permit for the installation to be built on Great Mills Road. They had approval from FAA at that time. Following this, there was legislation passed regarding such projects, but this type would not be adversely affected, so they proceeded to go ahead with what had to be done. In April 1967 they obtained an agreement with the Chesapeake and Potomac Telephone Co. for use of their poles, permit dated November 12, 1968; and on May 13, 1968 entered into an agreement with Southern Maryland Electric for use of their poles, 400 and 150 poles respectively. In some instances they will have to go underground. Mr. Cole explained that they propose to provide some educational television to the schools on channel 26, and there will be no charge for this. However, if commercial buildings use the service, the charge will be the same as to residential buildings.

Mr. Guyther said that they also have approval for the tower from FAA, under letter dated December 28, 1968. Mr. Cole said they have an earlier letter if the Commissioners would like to see it. The Gerald Company will construct the facilities, and they are doing practically all of this work in the country. Mr. Cole mentioned that they will employ several people and hopes there will be local people who can fill the positions.

Mr. Smith said they must find out what channels the FCC will allow them to use, and obtain a new building permit as the original one has expired. They will then be ready to proceed. He stated that he will provide Mr. Williams with a copy of the FCC rules.

Regarding fees paid to the county, Mr. Smith said that it is a general practice to pay a receipts tax where there is a franchise authority. Mr. Williams mentioned that he has been unable to find anything in the law regarding franchising authority for such a facility, and Mr. Smith agreed that there was none. However, they are willing to enter into an agreement with the county on a sliding scale of percentage that would allow for increases as new subscribers are acquired. The company will be glad to work out something with the Commissioners on this basis to provide some tax to the county. Mr. Smith said he will draft guidelines to this effect, and bring them to the Commissioners for their consideration.

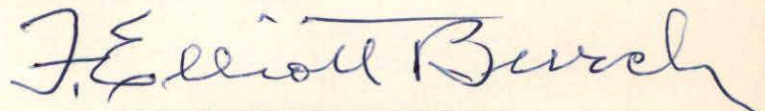
So far as a franchise is concerned, the gentlemen were informed that the county does not have the authority to grant such.

County Equipment

Mr. Pantaleo and Mr. Workman. Mr. Pantaleo reported that the way the specifications for the loader are written the bidding would be limited to one company, Caterpillar. Mr. Pantaleo said he will draft an addendum and Mr. Williams said that so long as the specifications are not restrictive, this would be legal. He further advised that the addendum should be sent to each person who has gotten a set of the specifications and Mr. Pantaleo will see that this is done.

The meeting adjourned at 4:45 p.m.

Approved,



F. Elliott Burch