

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, January 7, 1975

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner J. Laurence Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Judith A. Mullins, Recording Secretary

Also present were: Jack Kershaw, Enterprise, Mike Klienback, WKIK, Carolyn Spears, Guardian, Randy Buehler, Beacon.

The meeting was called to order at 1:00 p.m. by Commissioner President McKay.

READING OF MINUTES

The minutes of January 2, 1975 were read and corrected.

APPROVAL OF MINUTES

Commissioner Jarboe made a motion to approve the minutes of December 26, 1974, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

GRANT APPLICATION-K-9 TRAINING

Present: George Sanger, Sheriff
Gene Pellillo, Chief Deputy

Sheriff Sanger presented a grant application for the Commissioners' approval for the training of a deputy with a K-9 dog. Total cost of the project is \$1,740 - federal share: \$1,566, state share: \$60.00 and County share: \$114.00. The grant provides for training and a dog.

Commissioner Jarboe made a motion to approve the grant application and authorize a line item transfer in the amount of \$1,740 from the Salaries Account #51-51194 to Training and Supplies Account #51-51424, seconded by Commissioner Millison. All Commissioners voted in favor of this motion. Mr. Cox and Mr. McGlade will review the grant application.

SHERIFF'S DEPUTIES

Present: George Sanger, Sheriff
Gene Pellillo, Chief Deputy

Sheriff Sanger stated that the two deputies he intended to hire from Prince George's County had decided to remain with Prince George's County. He said that Deputy Edward Healy who will be handling the K-9 dog was employed by the Sheriff's Department in 1970 and left for four months and was rehired by the former Sheriff and left again for there months and then returned under the present Sheriff. He is presently at Grade 8, Step 3 due to the amount of service Deputy Healy has had with the Sheriff's Department. He stated there are funds in the budget for this. Commissioner Dean made a motion to place Deputy Healy at Grade 8, Step 3, effective January 6, 1975, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

DRUG INVESTIGATION FUNDS

Sheriff Sanger requested authorization to use drug investigation funds for other crime investigation purposes. The Commissioners requested that the State's Attorney and Circuit Court Judge should concur in such a decision prior to the Commissioners granting such approval.

SPACE FOR MAINTENANCE OF SHERIFF'S VEHICLES

In conversation with Sheriff Sanger, Commissioner Parlett was informed that the County could save a great deal of money by having the Sheriff's Department vehicles serviced at the Board of Education maintenance facilities at Loveville. However, Commissioner Parlett stated that Mr. Jim Raley of the Board of Education informed him that there was no additional space at the Banneker shop for this purpose.

REQUEST FOR TEN ADDITIONAL DEPUTIES

Commissioner Dean stated that in considering the Sheriff's request for ten additional deputies, he had developed a shift schedule using the allocated 24 deputies and requested the Sheriff's review and comments on the schedule.

Deputy Pellillo explained the shift system to the Commissioners and the requirements set by the State for jailers.

Commissioner Dean inquired as to the possibility of a person being hired and trained specifically for jail duty rather than a fully-trained and equipped deputy. He requested the Sheriff to forward information to the Commissioners how often training school for jailers is held.

Commissioner Parlett inquired whether the Sheriff had determined whether special deputies could be hired for the serving of papers. Sheriff Sanger said the only way it could be done was for the District Court to hire a constable.

The Commissioners advised the Sheriff that they will make a decision within two weeks as to the request for the ten additional deputies.

In closing Sheriff Sanger requested that the establishment of a Merit System for the Sheriff's Department be included in the Commissioners' Legislative Package. He stated he would discuss this with the County Attorney to determine if legislation is in fact necessary.

OPTION TO PURCHASE PROPERTY BEHIND BETHUNE SCHOOL

Present: John Baggett, Director, Recreation and Parks
Members of Seventh District Optomist Club
Citizens from Seventh District

Mr. Baggett came before the Commissioners to discuss the proposed purchase of 63 acres of property located behind Bethune School. He stated that the residents of the area were desirous of a park in that area. One of the recommendations in the Comprehensive Recreation and Parks Plan was the purchase of this particular property for park purposes. The former Board of Commissioners did not sign the option for the property because one of the Commissioners felt the area was too swampy and that the purchase price was too high. Subsequently, Soil Conservation Service attested to the fact that only five acres tended to be marshy. Two appraisals have been made, one in the amount of \$36,500 and the other in the amount of \$38,100. The State in funding the purchase of the property uses the median and the purchase price would, therefore, be \$37,300. Mr. Baggett requested the Commissioners to sign the Option for the purchase of this property.

Commissioner Dean made a motion to sign said Option for the purchase of approximately 63 acres of property located in

the Seventh District behind Bethune School, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

In addition, Mr. Baggett requested that the Commissioners approve and sign the Application to be submitted Program Open Space for the purchase of the property in the amount of \$37,900 - \$37,300 for the purchase price and \$600 for cost of appraisals. It is a 100% grant and the total purchase would be refunded by the State. Commissioner Millison made a motion to authorize Commissioner President McKay to sign said Application, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

SAND AND GRAVEL PROJECT-ABELL'S WHARF

Present: Aleck Loker, representing, "Friends of Breton Bay"
Mary Jansson
Trueman Haskell, Potomac River Association
Senator Paul Bailey
Andy Chinni
John Norris, County Engineer
Richard Platt, Director, Land Use and Development

Mr. Loker, spokesman for "Friends of Breton Bay", expressed concern, from an environmental standpoint and the use of groundwater, over the sand and gravel project by C. J. Langenfelder, Inc. at Abell's Wharf. He stated that a grading permit had been issued for the mining of 40 acres of land. The original mining operation was for four to five acres at the time of the adoption of the Zoning Ordinance and Mr. Loker said it was a non-conforming use in an Agricultural Zone and under the Ordinance is restricted from expanding beyond 50% of the scope that was involved at the time the Ordinance was adopted. Therefore, it should be restricted to six acres. Continuing, Mr. Loker stated that the Planning Commission is now in the process of gathering facts for a decision on the request for a conditional use for the project to expand to 300 acres. Mr. Loker recommended that the Commissioners request the County Attorney to research this matter and to give his opinion. He requested that this request be disapproved. Mr. Loker stated that the "Friends of Breton Bay" felt that the interest of the County would best be served by terminating this entire project as soon as possible.

Mr. Loker said that he understood that the land was intended to be turned into quality housing with recreational and restaurant facilities and that this was the best use of this land. Mr. Chinni

mentioned the safety hazard factors with 40 trucks per day transporting gravel on State Route 244. He also mentioned that there was a seven to ten year time frame on the project which would remove any chances for development in that area and would be a tax loss to the County.

Mrs. Jansson stated that the Zoning Ordinance prohibited the operation from coming within 200 feet of a County road or within 75 feet of any property line and this, in fact has occurred.

Commissioner Dean advised the group that in response to the alleged violations of the Zoning Ordinance, he would bring these matters to the Planning Commission's attention and also request the County Attorney to make a legal determination.

Senator Bailey expressed concern over the use of groundwater and the violation of the Zoning Ordinance and that it should be a concern not only to residents of Breton Bay but to the entire County. He discussed the adverse effect that the issuance of a groundwater permit to drill wells and that the withdrawal of 60,000 gallons of groundwater daily would have on the County and requested that the County Commissioners go on record with the Water Resources Administration as being opposed to the granting of this permit.

In closing, Mr. McCoy also discussed what effect the use of this amount of groundwater would have on the County.

The Commissioners thanked the group for their presentation and stated they would take under consideration the information brought before them.

Commissioner Dean stated that each Commissioner should list their concerns and submit them to the secretary to be compiled for presentation to the Planning Commission.

ECONOMIC IMPACT FEE EXEMPTIONS

Present: John Norris, County Engineer

Whereas, Resolution 74-42 was adopted on November 13, 1974 by the County Commissioners of St. Mary's County to require compliance with Subsection (B) of House Bill 1497; and whereas, certain subdivision plans were presented to and accepted by the St. Mary's County Planning Commission on or before December 26, 1973, and approved in final form by said Commission in sufficient

time to be recorded in the Land Records of St. Mary's County prior to the effective date of Resolution 74-42; and whereas, the lack of a timely review of these plans by the County's Engineering Office delayed the normal processing of these plans and subjected them to the requirements of Resolution 74-42; and whereas, requiring these subdivision plans to conform to Resolution 74-42 will cause an unjust hardship; NOW, THEREFORE, Commissioner Parlett moved that Resolution 74-42 is hereby waived this date for this subdivision plans meeting the above requirements, which were heretofore determined to be:

1. Beverly Estates Subdivision Plan, Section 1, as approved in final form by the Planning Commission on August 26, 1974, and

2. Southgate Estates Subdivision Plan, Section 1, as approved in final form by the Planning Commission on July 22, 1974. Commissioner Dean seconded the motion. All Commissioners voted in favor of this motion.

CHANGE ORDERS FOR AIRPORT HANGAR

Present: John Norris, County Engineer

John Norris requested approval for two change orders for the Airport. Change Order No. 2 is to provide an asphalt ramp approximately 30 feet in width and 120 feet in length, to tie the concrete apron of the hangar building into the existing asphalt parking area, in the amount of \$2,000.

Change Order No. 3 is to lower the inlets on the existing septic tanks approximately 13 inches to provide sufficient grade from the new hangar building to the septic system in the amount of \$174.

Therefore, Mr. Norris requested to transfer funds in the amount of \$2,174 from the Land and Building Account #90-90152 to the Airport Account #90-90142. He stated that the total authorized expenditure for the Airport Hangar to date is \$162,669.

Commissioner Jarboe made a motion to approve the two Change Orders as listed above, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

RIGHT OF ENTRY AGREEMENT - SHA CONTRACT NO. SM-414-10-571
RUE PURCHASE ROAD TO PEGGS LANE (ST. RTE 235)

Present: John Norris, County Engineer

Mr. Norris stated that the State Highway Administration has requested a Right of Entry Agreement be executed by the Commissioners to allow them to construct an entrance to Peggs Lane. Two parcels of land are involved (a) 1,667 square feet and (b) 1,006 square feet. An execution of Right of Entry Agreement is in fact authorization to construct. Commissioner McKay suggested that it be done by Easement rather than fee simple and requested John Norris to discuss this with SHA and report back to the Commissioners.

BILL APPROVED (ALBAN TRACTOR COMPANY)

Present: John Norris, County Engineer

John Norris recommended approval of the following bill:

Alban Tractor Company, Inc. dated November 27, 1974 for parts and repairs for landfill equipment in the amount of \$7,568.13.

Commissioner Dean made a motion to approve payment of said bill, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

PROPOSALS TO INSTALL FENCE AT VALLEY LEE TRANSFER STATION

Present: John Norris, County Engineer

Mr. Norris stated that bids were opened December 18, 1974 for the above project. Bids were as follows:

B & J Nursery	\$ 830.00
Long's Fence	\$ 999.00
Clinton Fence Co.	\$ 941.00
A. B. Garner	\$1,030.26

Mr. Norris recommended awarding the bid to B & J Nursery, the lowest bidder, in the amount of \$830.00. Commissioner Jarboe made a motion to accept Mr. Norris' recommendation, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

EXTRA WORK AUTHORIZATION - ST. ANDREWS CHURCH ROAD

Present: John Norris, County Engineer

Mr. Norris requested that the Commissioners authorize him to sign the Extra Work Authorization prepared by the SHA on the St. Andrews Church Road project. Extra work authorization was in

the amount of \$48,571.92, making the total extra work authorization approval to date \$104,246.92. The reason for this extra work authorization was the low estimate of quantities of work given by the Consultant Engineer. Commissioner Jarboe made a motion authorizing Mr. Norris to sign the Extra Work Authorization in the amount of \$48,571.92, seconded by Commissioner Dean. Four Commissioners voted in favor of this motion. Commissioner Millison abstained.

NURSING HOME PROJECT

Present: John Norris, County Engineer

For the Commissioners' information, Mr. Norris stated that if the contractor, Loffler Construction Co., fails to complete the project on or before April 2, he would be subject to the penalty clause in the Contract. It appears that he is approximately two months behind schedule. The contract is in the amount of \$592,942. Completed work and storage of materials as of December 12, 1974 is in the amount of \$329,373.

NURSING HOME PROJECT - CHANGE ORDER NO. 6

Present: John Norris, County Engineer

The architect's specifications were in error and required air filters of an efficiency rate for a hospital as opposed to a nursing home. Therefore, the filters will be changed accordingly and the contract will be reduced by \$335. Commissioner Dean made a motion to sign said Change Order, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

KITTS POINT PROJECT

Commissioner Dean stated he received a call from Victor Reynolds and he was desirous of discussing the Kitts Point project with the Commissioners. A meeting was arranged for Friday, January 10 at 1:00 p.m. in the Commissioners' Conference Room. Mr. Cox stated he would provide copies of the Kitts Point Development Agreement for the Commissioners' review.

FLOOR PLAN - LEONARD HALL

Present: John Norris, County Engineer

Commissioner McKay showed the floor plans for office space for the County Engineer and Land Use Office as had been drawn up by Robert Willard. John Norris and Richard Platt will review said plans and make comments on same.

The meeting recessed at 6:10 p.m.

Wednesday, January 8, 1975

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner J. Laurence Millison
Commissioner John K. Parlett
Edward V. Cox, Chief Clerk
Judith A. Mullins, Recording Secretary

The meeting reconvened at 9:00 a.m.

VOUCHERS APPROVED

Commissioner Millison made a motion to approve Vouchers No. 10394 through No. 10687, dated November 29, 1974 through December 31, 1974, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

COMPREHENSIVE EMPLOYMENT TRAINING ACT

The Commissioners advised Mr. Cox that they were in favor of this program and discussed several possible positions to be submitted to the State. Commissioner Jarboe made a motion that the County participate in the Program, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Later in the meeting, Mr. Cox advised the Commissioners that F.Y. '74 funds in the amount of \$33,212 and F.Y. '75 funds in the amount of \$56,254, totalling \$89,466 are to be expended prior to July 1, 1975. Mr. George Yizar and Mr. Joel Matz of the Maryland State Manpower Planning Council have advised us that those persons employed should be exempt employees on basis of temporary employment contracts not guaranteed to last longer than June 30, 1975. F.Y. '76 fund allotments will be announced at a later date.

Commissioner Dean made a motion to authorize the staff to prepare a list of positions that would be funded by this grant not to exceed its conditions for the remainder of Fiscal '75, seconded by Commissioner Jarboe. Four Commissioners voted in favor of this motion. (Commissioner Millison was not present).

RESCUE TRUCK - CIVIL DEFENSE

A letter dated December 26, 1974 was received from Otis Wood, Acting Director, Civil Defense, requesting to replace the

1952 heavy duty rescue truck with a light-duty truck equipped with modern rescue and life saving equipment. This truck would be kept in the Leonardtown Fire House and would be discharged from the Control Center. The cost of this truck would be approximately \$30,000 and the Federal Office of Civil Defense will be requested to pay 50%, making the cost to the County \$15,000.

Commissioner Millison made a motion to authorize the purchase of the light-duty rescue truck in the amount of \$30,000, 50% of which is to be funded by a federal grant, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Mr. Ed Cox is to request Mr. Wood to cite examples of use and capabilities of the rescue truck.

ENERGY COORDINATOR

Ed Cox stated that in the past Otis Wood had been appointed Energy Coordinator for St. Mary's County and Mr. Cox recommended that Mr. Wood be re-appointed to this position. Commissioner Dean made a motion to accept Mr. Cox's recommendations, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

COORDINATOR FOR DISASTER PLANNING AND PROCEDURES

Ed Cox stated that in the past Mr. Wood had been appointed Coordinator for Disaster Planning and Procedure and Mr. Cox recommended that he be re-appointed to that position. Commissioner Dean made a motion to accept Mr. Cox's recommendations, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

COMPUTERIZED CAR POOL SYSTEM

Commissioner Parlett stated that Mr. Fred Pumphries contacted him in reference to a computerized car pool system. Presently the program is being handled by the Junior Woman's Club of Golden Beach. \$5,700 was provided by the Maryland Department of Transportation to aid in the funding of this project. Mr. Pumphries has requested \$400 in order to have 10,000 forms printed and for postage. With the oncoming fuel shortage, Commissioner Parlett said there would be a great savings to the people of the County if the program is successful. Mr. Pumphries was of

the opinion that it should be on a tri-county basis if it is to be successful. Tri-County Council was interested in the Program but did not have the funding for it.

Commissioner Parlett is to contact Otis Wood, as Energy Coordinator and request him to attempt to obtain a source for the \$400.

IMPACT STUDY - NAVY RELOCATIONS

Present: Harry Lee Smith, Co-Chairman,
Economic Affairs Committee, Chamber of Commerce

Mr. Smith presented a report entitled "Impact Study - Navy Relocations" to the Commissioners compiled by Mr. Smith and William Chapman and other citizens, which explains the impact on the County of the transfer of the VP-30 Squadron from Patuxent River to Jacksonville, Florida. He stated that the report was completed two days late and that the VP-30 Squadron will be moving. Mr. Smith stated that letters will be written to the Secretary of the Navy, Senators and Representatives requesting units to replace VP-30.

ECONOMIC COMMUNITY DEVELOPMENT

Present: Leon Peterson, State Economic Community Development

Mr. Peterson stated he is functioning as a liaison for Economic Community Development for the Southern Maryland area. He discussed the duties and structure of his Office. His Department is presently developing an overall development plan and he stated that he would like to meet with the Commissioners and the local EDC at a later time to present what information he has and to obtain comments from the Commissioners. In closing, Commissioner Dean requested that Mr. Peterson forward any brochures with relation to his department to the Commissioners.

RESOLUTION NO. 75-5
PLANNING AND ZONING AND PLUMBING FEES

Present: Richard Platt, Director, Land Use and Development

Mr. Platt presented the above Resolution for the Commissioners' review and comments. After discussion several changes were made and it was noted that the purpose of the fees was not to raise

revenue but to pay for services rendered.

Commissioner Jarboe made a motion to adopt Resolution No. 75-5 - "Planning and Zoning and Plumbing Fees, as amended, effective January 9, 1975, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

LAND USE BOARD - PLAN FOR THE DESIGNATION OF AREAS OF
CRITICAL STATE CONCERN

Present: Richard Platt, Director, Land Use and Development

Mr. Platt presented a letter dated January 7, 1975 with recommendations as to the composition of membership of the Land Use Board.

IMPACT OF BI-CENTENNIAL CELEBRATION PLANS ON STATE ROADS
IN ST. MARY'S COUNTY

Present: Richard Platt

Mr. Platt stated he received a telephone call from the State Highway Administration requesting information as to any special funding requirements related to highways which might result as impact of the Bicentennial Celebration of 1976.

BOND FOR STATE'S ATTORNEY

Ed Cox presented a Bond in the amount of \$5,000 for the new State's Attorney, George Sparling. Commissioner Dean made a motion to approve said Bond, seconded by Commissioner Millison. All Commissioners voted in favor of this motion.

BOND ANTICIPATION NOTES - METROPOLITAN COMMISSION

Present: Mike Marlay, Director, Metropolitan Commission
John Fortunato, Executive Assistant
Cato Merchant, Chairman
Amanda Breig, Secretary-Treasurer

(See minutes of December 4, 1974) The above persons came before the Commissioners to obtain Commissioner President McKay's signature on several documents in order to consummate the Bond Anticipation Notes so that the Metropolitan Commission can proceed with certain projects in the Lexington Park Area.

Commissioner Parlett made a motion authorizing Commissioner McKay to sign said documents, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

PROCLAMATION NO. 75-4
MARCH OF DIMES

Present: Ed Abell, County Chapter Chairman
Rose Slade, Publicity Chairman

The Commissioners presented to the above persons Proclamation No. 75-4, proclaiming January, 1975 as March of Dimes month.

FLOOD INSURANCE

Present: Bob Rauch, Department of Water Resources

Mr. Rauch came before the Commissioners to explain the Federal Flood Insurance Program. The Department of Water Resources is acting as the coordinating agency for implementing the Flood Insurance Program for the Department of Housing and Urban Development. St. Mary's County is one of the few remaining counties that is not in the Program.

By July 1, 1975 all banks and any type of federal funding agency will require that an individual has flood insurance before they could obtain a mortgage loan, if the property is located in the flood prone areas.

In order for the County to be eligible, the County must have: (1) a building permit system (Zoning Ordinance), (2) must fill out one page application, (3) must adopt two Resolutions: (a) one showing interest in the program and (b) one showing that when the time comes the County will adopt certain zoning or building code ordinances that recognize the flood hazard areas, which HUD will designate with the County's approval, and (4) two copies of a base map delineating corporate limits.

Mr. Rauch mentioned that if the County acts immediately, they would provide Flood Insurance immediately to the residents of the County and nothing would be gained by waiting for the July 1, 1975 cut-off date.

In closing Mr. Rauch said he would forward an application booklet, a sample Ordinance from Pennsylvania, a copy of the law pertaining to Flood Insurance and other general information.

DOG WARDEN REPORT

Ed Cox distributed a report concerning the Dog Warden, Wayne DeLozier, and stated that according to monthly statistics

from the Tri-County Animal Shelter, Mr. DeLozier is doing very well in comparison to Charles County's Dog Wardens.

ESCROW AGREEMENT-SATAV CORPORATION

Because of the weather conditions, the contractor was not able to begin work on the paving project at King Kennedy Estates, however, SATAV Corporation has been able to retain the current price until Spring, when the work will be initiated. Mr. Cox stated, that because of the delay, SATAV Corporation is requesting an extension of the Escrow Agreement. Mr. Cox was instructed to return with the amended Agreement reflecting this extension.

ROAD RESOLUTION-HILLVIEW DRIVE, GOLDEN BEACH

The County Engineer's Office submitted a Road Resolution establishing a 25 mile per hour Speed Limit on Hillview Drive, Golden Beach. Commissioner Dean made a motion to adopt said resolution, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ROAD RESOLUTION-SOCIETY HILL ROAD AND BULL ROAD

The County Engineer's Office submitted a Road Resolution providing for the erection of a Yield sign at the intersection of Society Hill Road and Bull Road. Commissioner Dean made a motion to adopt said Resolution, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

ST. MARY'S COUNTY BENEFIT AIRFAIR

Correspondence was received from the St. Mary's County Benefit Air Fair requesting a statement of intent from the Commissioners that the Airport facilities would always be available to the Air Fair and requesting the assignment of one acre of land to be used by the Air Fair Association for storage and office facilities. This letter will be forwarded to the Airport Committee for comments.

OFFER TO DEED TWO LOTS-HAYES BEACH

Correspondence was received from Jean L. Cramer addressed to the County Treasurer offering to deed two lots at Hayes Beach - 14 and 14A - to St. Mary's County. Mr. Cox will determine implications of said offer and report back to the Commissioners.

REQUEST FOR OFFICE SPACE-DISTRICT PUBLIC DEFENDER

Correspondence was received from Richard J. Clark, District Public Defender requesting that if space became available in the Courthouse, the Office of Public Defender would like to be located in the Courthouse.

BILLS APPROVED

The following bills were approved by the Commissioners:

Lorenzi, Dodds and Gunnill, Invoice No. #3487 for Lexington Park School Park (topography and site plans) - \$1,300.00.

MacRae Excavating Company, dated December 16, 1974, Laurel Grove grading, stripping and stockpiling topsoil - \$5,200.00.

General Electric, dated December 10, 1974, for landfill communications radios - \$3,788.88.

REZONING HEARINGS

Present: Richard Platt, Director Land Use and Development
Joe Garner, Zoning Technician
Robert Willard, Special Assistant

RICHARD D. ARNOLD - CASE NO. 74-2

Present: Richard D. Arnold, Applicant
Walter Dorsey, Attorney
Floyd Williams, Protestant
Mr. Trawick, Protestant

Mr. Arnold submitted an application for rezoning from AR-2 to C-2, property located in the Fifth Election District, approximately one mile northwest of Route 235, consisting of 1.8 acres of land.

The Planning Commission recommended that the Commissioners approve a classification of C-1 instead of C-2 in that the C-1 classification would be more appropriate and afford more control over development than does the C-2 category. The Planning Commission also recommended that the Commissioners attach a stipulation that no new exits be created on Route 5 and that any new exits needed for development of this parcel be created on old Route 5.

After hearing the presentation by the applicant and his attorney and the protestants, the Commissioners deferred a decision until a later time. A tape of the hearing is on file in the Commissioners' Office.

CLAUDE RICARDO HAMILTON-CASE NO. 74-6

Present: Claude Hamilton, Applicant
Walter Dorsey, Attorney
Mr. and Mrs. Floyd Williams, Protestants
Mr. Trawick, Protestant

Mr. Hamilton submitted an application for rezoning from AR-2 to a C-2 classification, property located on Route 5, approximately 3/4 mile northwest of Route 235, Fifth Election District, consisting of .506 acres.

The Planning Commission recommended that the Commissioners approve a classification of C-1 instead of the C-2 classification and that their recommendation is consistent with their recommendation for the rezoning case for Richard D. Arnold. They also recommended that there be no new entrances or exits onto Route 5 and that any new entrances needed for development of this parcel be created on old Route 5.

After hearing the applicant and his attorney and the protestants, the Commissioners deferred a decision until a later date. A tape of the hearing is on file in the Commissioners' Office.

JOSEPH C. LONG-CASE NO. 74-8

Present: Joseph C. Long, Applicant

Mr. Long submitted an application for rezoning, from AR-2 to C-1, property located in the Fifth Election District, on Route 5, approximately 1 mile northwest of Route 235, consisting of 2.4 acres.

The Planning Commission recommended that the Commissioners approve this reclassification from AR-2 to C-1, and that Mr. Long utilize his existing entrance onto Route 5 and be restricted from creating any new entrance.

The Commissioners deferred a decision until a later date. A tape of the Hearing is on file in the Commissioners' Office.

ANTONIO AND ANNIE M. COCIMANO-CASE NO. 74-9

Mr. Cocimano submitted an application for rezoning, from R-1 to C-1, property located in the First Election District, on Route 5, approximately 1/4 of a mile northwest of Route 415 (Scotland Beach Road), consisting of .949 acres.

The Planning Commission recommended that the Commissioners disapprove this reclassification in that additional commercial development in that area would be incompatible with the Comprehensive Plan as this area is principally planned for residential use only. The Planning Commission also noted that due to the height of the water table in this area, that a positive percolation test would be impossible.

Mr. Cocimano was not present. The Commissioners deferred a decision until a later time. A tape of the hearing is on file in the Commissioners' Office.

LEONARD T. DIXON-CASE NO. 74-11

Present: Leonard T. Dixon, applicant

Mr. Dixon submitted an application for rezoning, from AR-2 to C-2, property located in the Fifth Election District, at the intersection of Route 235 and Route 6.

The Planning Commission deferred action on this case until additional information is obtained.

After hearing Mr. Dixon's presentation, the Commissioners deferred a decision until a later date. A tape of the hearing is on file in the Commissioners' Office.

(Commissioner Millison left the meeting at this time).

LOUIS E. SHOMETTE AND WILLIAM H. STANHAGEN
CASE NO. 74-12

Present: William H. Stanhagen, Applicant
James Kenney, Attorney
J. Spence Howard, Real Estate Broker and Appraiser
Charles Donaldson, Fire Marshal
Chief Fairfax, Bay District Fire Department

Mr. Shomette and Mr. Stanhagen submitted an application for

rezoning from C-1 to C-2, property located on Route 235, approximately 700 feet south of Chancellor's Run Road, Eighth Election District, consisting of 9.87 acres.

Mr. Kenney, attorney, representing Mr. Stanhagen, made a presentation for the above rezoning case and submitted the following documents into the record: Exhibit A - Copies of notification to residents within 200 feet and immediate area of subject property, Exhibit B - Certification of Publication, Exhibit C - Zoning Ordinance, Exhibit D - Letters from former Commissioners with their testimony that it was their intent that the subject property be zoned C-2, Exhibit E - Letter from Philip Correro, President, Construction Division, Holiday Inns, Exhibit F - Letter from Department of Assessment and Taxation, Exhibit G - Real Estate qualifications and educational background of J. Spence Howard, Exhibit H - Display of photographs of subject property and adjacent property, Exhibit I - Appraiser's (J. Spence Howard) Report, Exhibit J - Letter from the Chamber of Commerce, Exhibit K - Site Plan.

Keith Fairfax, Fire Chief, Bay District Fire Department, submitted a letter requesting several items with regard to fire protection to which Mr. Stanhagen signed agreeing to comply with these requests.

The Planning Commission submitted a letter dated January 6, 1975 with background information and that it was the opinion of the Planning Commission and the Office of Land Use and Development that the findings of fact justify the need for the change and that the proposed change is compatible with the Master Plan. Inasmuch as the former County Commissioners approved a reclassification from A-Residential to commercial in November, 1973, with the intention of allowing construction of a Holiday Inn, the Planning Commission strongly recommended approval of this reclassification.

Mr. Walter Dorsey, Attorney, entered the meeting at this time and stated his objections to the rezoning of this property.

The Commissioners deferred a decision on this case until a later date. A tape of the proceedings is on file in the Commissioners' Office.

REGULATIONS GOVERNING APPEALS ON REZONING DECISIONS

Present: Mr. Walter Dorsey, Attorney

Mr. Dorsey requested the Commissioners to consult with the

Planning Office and County Attorney and adopt some type of rule or regulation governing appeals on decisions made by the County Commissioners on rezoning hearings.

BIDS ON SHERIFF'S DEPARTMENT AUTOMOBILES

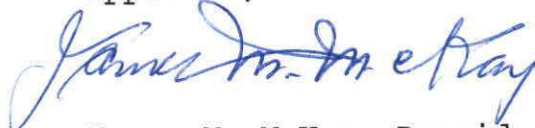
Bids were opened January 6, 1975 for six automobiles for the Sheriff's Department. Bids were as follows:

Fenwick Ford	\$26,283.42	Custom 500
Bell Motor Company	\$28,800.00	Bel Air
Guy Chevrolet	\$26,940.00	Bel Air
Suburban, Chrysler, Plymouth	\$26,654.70	Grand Fury
Hunt Ford	\$26,875.66	Custom 500

Paul Raley, Administrative and Logistic Director, recommended that the Commissioners award the bid to Fenwick Ford, the lowest bidder, in the amount of \$26,283.42. Commissioner Jarboe made a motion to accept Mr. Raley's recommendation, seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

The meeting adjourned at 5:45 P.M.

Approved,



James M. McKay, President