

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, February 25, 1976

Present: Commissioner James M. McKay, President
Commissioner John K. Parlett, Vice-President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Edward V. Cox, County Administrator
Alice V. Bailey, Recording Secretary

The meeting was called to order at 9:15 a.m. Commissioner Millison was in attendance at the meeting before the Board of Public Works and the Board of Education in reference the Fifth District School funding.

READING AND APPROVAL OF MINUTES

The minutes of February 18th and 19th, 1976 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected. Seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

RELEASE OF COLLATERAL - MARYLAND NATIONAL BANK

Present: Harris Sterling, Director of Finance

Mr. Sterling presented a release of collateral for the Commissioners approval. Commissioner Jarboe made a motion to authorize the President to sign said release of collateral at the Maryland National Bank in the amount of \$200,000.00. Seconded by Commissioner Parlett. All Commissioners present voted in favor of the motion.

GUENTHER CONSTRUCTION FUNDS

The Commissioners asked Mr. Sterling if he had located the funds per the road agreement with Guenther Construction. He stated that he has not had time to meet with Ernie Bell and has not found the funds.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for payment approval by the Commissioners. Commissioner Dean made a motion to approve the vouchers as presented with the exception of voucher number 06638 for further clarification. Seconded by Commissioner Jarboe. All Commissioners present voted in favor of the motion.

TOURIST INFORMATION CENTER

Present: Marvin Joy
Ruby Beaman
Nick Smith
John Norris
F. Elliott Burch
Arthur "Buck" Briscoe

Mr. Joy submitted to the Commissioners the bids that were obtained for the construction of the Tourist Information Center. He stated that the lowest bid was in the amount of \$84,500.00 and this was submitted by Bates Associates, Inc. Mr. Joy stated that hopefully the cost of the flag pole and sign can be obtained from donations. In addition to the \$84,500.00 there will be additional fees for the architect, purchase of property and furnishings. Mr. Joy stated that the amount for the building was estimated at \$60,000.00 and the bid figure is well over that amount, but he is going to try and lower the figure if at all possible.

Mr. Joy stated that he has been in contact with the Library Board and they are looking into the possibility of locating a branch library in the Tourist Information Center. The space previously going to be occupied by the Economic Development Commission would be the area that the branch library would be located.

Mr. Joy at this point presented a letter from the Board of Library Trustees suggesting a joint tenancy in the proposed Tourist Information Center for the Commissioners review.

John Norris stated that a possible way of lowering the price of the construction of the building would be split site work.

Mr. Joy stated that he would like to come before the Commissioners in approximately one week as to the possibilities of putting the library in the Information Center, as to the cost and operation as well as the rent aspect.

An appointment was scheduled for Mr. Joy to appear on March 4th at 8:30 a.m.

ENCUMBRANCE VOUCHER APPROVAL

Commissioner Dean made a motion to approve encumbrance voucher 06214 for payment, seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

TREASURER'S OFFICE - MOTOR VEHICLE ENCUMBRANCE VOUCHERS

A letter was presented to the Commissioners from the Treasurer's Office pertaining to the Motor Vehicle Administration's new policy which requires a weekly accounting and payment of auto tags by 12:00 noon each Tuesday. This policy would become effective March 2nd and continue for ten to twelve weeks. The Treasurer's Office is requesting that payment be approved upon receipt of the voucher being submitted to the Finance Department. This is an exception to our payment policy.

Commissioner Dean made a motion that the Commissioners inform the Finance Department to approve payment upon receipt of encumbrance voucher submission by the Treasurer's Office relevant to payment of Motor Vehicle Administration monies. Seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

SALE OF FURNISHINGS - ASSESSMENT OFFICE

Commissioner Parlett made a motion to sign the agreement pertaining to the sale of the furnishing and equipment presently owned by the County to the Assessment Office (State agency) for the sum of \$1998.14. Seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

STATE'S ATTORNEY BOND - \$5,000.00

Commissioner Jarboe made a motion that the President be authorized to sign the \$5,000.00 bond on the State's Attorney. Seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

APPOINTMENTS - EMERGENCY MEDICAL SERVICES COUNCIL

Commissioner Jarboe made a motion to appoint James G. Stoltenberg, Edward R. Curley, Virginia Shilling and John Wooten to the Emergency Medical Services Council. This term of office will expire on the 1st of January 1979. Seconded by Commissioner Parlett. All Commissioners present voted in favor of this motion.

REQUEST FOR CONFISCATED VEHICLES - U. S. NAVY

A letter was received from Captain E. V. Laney, requesting that the Department of Navy, on a temporary basis be able to utilize one of the automobiles the Sheriff's Department has seized in connection with their investigations and awarded to the county.

The Navy stated that they would use this vehicle on a temporary basis and would agree to assume responsibility for maintenance and upkeep of the vehicle. This vehicle would be assigned to the Security Department Investigation Division and directly to Special Investigator Joseph W. Godfrey.

Commissioner Dean made a motion that we approve the request of Captain F. V. Laney for a seized vehicle in the possession of the County to be used by the Navy for undercover work, and the details to be worked out by Captain Laney, Sheriff Sanger and the County Administrator. Seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

RESOURCE, CONSERVATION AND DEVELOPMENT PROJECT - ST. MARY'S AIRPORT

Mr. Cox stated that correspondence has been received from the Soil Conservation Service requesting from the County Commissioners confirmation that monies are budgeted and second, if the County Commissioners want to have this as a local contract or a Federal Contract in reference the St. Mary's County Area Treatment Measure Plan.

Commissioner Jarboe made a motion to inform the Soil Conservation Service that the local share monies are available and request that this will be under a Federal Contract. Seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

LEGISLATION - BILL 1249 - LAND REGULATIONS

The Commissioners were in agreement that the bill should read down to line 82 as written and that a "period" be placed after the word "Practical", and should be amended to eliminate the remainder.

HEALTH DEPARTMENT X-RAY EQUIPMENT

The Commissioners reviewed correspondence from the Health Department and Joseph O'Dell, Budget Officer for replacement of x-ray equipment.

Commissioner Jarboe made a motion that we approve the replacement of x-ray equipment and charge to the budget for the Health Department. Seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PURCHASING AND LOGISTICS - ADDITIONAL FUNDS - ELECTRICITY ACCOUNT

Mr. Cox stated that Mr. Paul Raley of Purchasing and Logistics has stated in correspondence that the allocation submitted in the FY 75-76 Budget for the electricity account will be over expended, and at the present time is depleted. Mr. Cox stated that an additional \$10,724.00 will be needed to carry this account through June 30th, 1976.

Commissioner Dean made a motion that we transfer from the Contingency Fund the amount that Mr. Raley requested for the Electricity Account. Seconded by Commissioner Parlett. All Commissioners voted in favor of the motion.

POLICY LETTERS

Mr. Cox presented correspondence for the Commissioners review as to suggested policies to be considered in building the FY '77 budget.

SOCIAL SERVICES - APPROVAL BY COMMISSIONERS FOR APPOINTMENT BY STATE

Commissioner Jarboe made a motion that we submit the names that were presented by the Board of Social Services as recommendations for approval to be appointed to the Social Services Board. Also, stated that the Commissioners have no additional names to be added thereon. Seconded by Commissioner Dean. All Commissioners present voted in favor of this motion.

AIRPORT COMMITTEE - MASTER PLAN

Commissioner McKay stated as to the correspondence from the Airport Committee in reference the Master Plan, that he will make a response to George Sullivan.

ATHLETIC FIELD - NEW LEONARDTOWN HIGH SCHOOL

Commissioner Parlett stated that it was his recommendation that we withdraw any request to change the planning of the athletic field facilities. Also that the Board of Education be made aware of this action.

Commissioner Parlett made a motion that the County Commissioners decline to proceed with the project as to the making of additional changes at the Athletic Field at the new Leonardtown High School due to the fact of the estimated costs and in this manner we will not delay the construction of the school. Seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

TECHNICAL CENTER INTERCEPTOR SEWER CONSTRUCTION

Commissioner Jarboe made a motion to approve the contribution of monies for planning and design in connection with the Leonardtown Middle School pipe lines with the details and cash to be worked out with Mr. O'Dell and Mr. Harry Kirst. Seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

EXECUTIVE SESSION

Commissioner Dean made a motion that the Commissioners will go into Executive Session on February 26th at 8:15 a.m. to discuss personnel functions of the Office of Land Use and Development and the County Planner. Seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

LOANS TO VOLUNTEER FIRE COMPANIES

Commissioner Dean stated that the Fire Board had held a meeting and that they would like to request the County Commissioners to change present legislation to allow the Commissioners to make loans of funds from the County Treasury, or borrow funds and in turn loan to the volunteer fire companies of St. Mary's County. This would mean changing from government loans to non-governmental or private. He also stated that he had drafted legislation in reference to the above and had given same to Speaker John Hanson Briscoe, and had told him to hold the draft until it had been reviewed by the Board, and that he, Commissioner Dean, would call Speaker Briscoe this date as to the final decision of the Board. Commissioner McKay was opposed to the loaning of monies to fire companies, and particularly for the purchase of equipment. He stated that he would support a position to increase the allocation to fire companies equivalent to the monies that they would save by borrowing money from the county and in this manner would not pay in anyway hurt the "County's Faith and "Credit".

After considerable discussion on the above the following motion was made.

Commissioner Dean made a motion that we submit to the Legislative Delegation a request for them to draft in bill form the proposed legislation in reference "Loans to Fire Companies" and to file the bill as a local bill from St. Mary's County. Seconded by Commissioner Jarboe. Commissioner McKay abstained from voting. Commissioner Parlett voted in favor of the motion. The motion passed.

Mr. Cox was requested to contact Speaker Briscoe and inform him as to the approval by the County Commissioners.

ANNUAL ALLOCATION - FIRE COMPANIES AND RESCUE SQUADS

Commissioner Dean stated that he was of the opinion that the annual allocation of monies to volunteer fire departments and rescue squads could be disbursed on July 1st of each fiscal year. At the present time the said funds are being received by the fire companies on an "as requested " basis.

Commissioner McKay was in opposition to this and stated that he would like to have the process remain as is in existence at this time.

Commissioner Dean made a motion that October 1st of each fiscal year be the annual allocation date for funds to be delivered to fire companies and rescue squads, with the stipulation that the fire companies/rescue squads upon notification of demonstrated need could receive their allocation prior to this date, and this allocation could be given as early as July 1st of the beginning of the fiscal year. Seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

EMERGENCY FUNDS - GENERATOR - MECHANICSVILLE FIRE DEPARTMENT

Commissioner Dean stated that we had received correspondence from the Mechanicsville Fire Department requesting emergency funds for a generator. Commissioner Dean stated in his opinion the Commissioners do not have the legislative authority to grant these additional funds beyond their allocation. Also, this request has not been sanctioned by the Fire Board and it is the policy of the County Commissioners that such a request must be sanctioned by the Fire Board.

Commissioner Dean made a motion that we deny the request of the Mechanicsville Fire Company to supply 15,000 to 20,000 for the generator for the following reasons: That under the present law the County Commissioners do not have the legislative authority to make additional appropriations to any individual fire company beyond that in Section 76 of the Public Local Laws, and if this action were in the affirmative that it would be establishing a policy and procedure that was not first approved and sanctioned by the Fire Board. Seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Commissioner Dean stated that he would draft a letter stating the denial of the request.

FAIR GROUNDS REQUEST

The Commissioners requested Mr. Cox to contact Ernest Bell, County Attorney to review the Fair Gorunds lease and to ascertain whether the county has the authority to purchase the necessary materials for the repair of the buildings thereupon situated.

FIFTH DISTRICT ELEMENTARY SCHOOL

Commissioner Parlett stated that he will be going to Annapolis as soon as the meeting is recessed to appear before the Board of Public Works with the Board of Education and Commissioner Millison in reference to funding of the Fifth District School.

JOURNALIST ASSOCIATION LEGISLATION HOUSE BILL 958

Present: Jack Kershaw
Janet Schaffron
Sunny Schust
Dick Myers
Randy Buehler
David Chaffurn

Representatives of the Journalist Association discussed with the Commissioners House Bill 958 "Open Meetings". After lengthy discussion the Journalist Association members agreed to summarize the agreed upon amendments and submit them for Commissioners' review in writing. Said written amendments are on file in the Commissioner's Office.

STUDENT REPRESENTATIVE ON BOARD OF TRUSTEES ST. MARY'S COLLEGE
HOUSE BILL 953

Present: Jamie Hickey
Will Foreman

Mr. Hickey stated that he was appearing before the County Commissioners to request their approval for support of House Bill 953 requesting a student from the college to be placed on the Board of Trustees of St. Mary's College. He stated that every other state school has a student on their board. The State Board of Junior Colleges has a student on their board. He stated that St. Mary's College is literally the only state school that does not have a student representative. The purpose of this bill as stated by Mr. Hickey, is to have a better communication channel. He stated that the meetings at the college are closed meetings and after a decision has been made then the students are informed. Also, the students do have any input in the decision making process, and that they do not get the entire or real story as to how decisions are finalized. Mr. Hickey at this point stated that there has been considerable publicity in reference the original bill in the newspapers. He explained his position as to the article that appeared in the Enterprise as to Speaker Briscoe's denial of support of the bill. He stated that the student government was of the opinion that they would not at this time make a compromise and they wanted the bill submitted in its original form.

The Commissioners stated that they would like to have the student government appear before them at 7:00 p.m. on February 27 at the Legislative Package Hearing to be held at the Leonardtown Middle School, and at that time they may state their feelings.

APPROVAL ENCUMBRANCE VOUCHER

Commissioner Dean made a motion to approve encumbrance voucher 06087, Seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

EXPRESSION OF INTEREST IN A HIGHWAY SAFETY PROJECT

Present: John Norris, County Engineer

Mr. Norris presented to the Commissioners an Expression of Interest in a Highway Safety Project for Fiscal Year 1977, to wit: Installation of guardrail on rural county roads; Installation of regulatory, guide and warning signing on rural county roads and Intersection sight distance and high hazard locations under the Highway Safety Act, for signature by the President.

Commissioner Jarboe made a motion to have President of the Commissioners to sign the Expression of Interest. Seconded by Commissioner Dean. All Commissioners present voted in favor of the motion.

RAILROAD RIGHT-OF-WAY

Present: John Norris, County Engineer

Mr. Norris stated that the Highway Administration has not expressed what they are going to do in reference the replacement of the railroad right-of-way corridor. Commissioner Dean asked the question, does the State Highway Administration feels that they should purchase the land in the woods but are not responsible for clearing of same? Mr. Norris stated in his opinion, they are going to have to do clearing, but that Commissioner Dean was correct in his assumption. At this point the Commissioners directed John Norris, Ernest Bell and themselves to have a work session to get together and go through the background of the situation.

Commissioner Jarboe at this point stated that it is very important that we find out what the maximum obligation with the State Highway Administration is at this time.

After further discussion Commissioner Dean stated that he, John Norris and Ernest Bell will get the dates and times as to an appearance before the State Highway Administration to discuss this situation.

VALLEY LEE TRANSFER STATION

Present: John Norris, County Engineer

Mr. Norris stated that the trailer has come in and will be delivered on February 26th to the Valley Transfer Station. At that time a change of hours will become effective, Monday March 1st, Monday through Friday will be changed to 9:30 a.m. to 5:30 p. m. and on Saturday and Sundays from 8:00 a.m. to 5:30 p. m. The purpose of which is to give the citizens more time in the evenings.

WICOMICO SHORES

Present: John Norris, County Engineer

Mr. John Norris stated that he has received correspondence from the Department of Natural Resources in January of 1976, stating that there was material sediment going into the waters surrounding Wicomico Shores, and in this correspondence requesting the county to take appropriate action. He stated that a letter was forwarded to RR&G, Inc. requesting them to give a response as to the correction and time table of same. As of this date a response has not been received from RR&G, Inc. He stated that if a response is not received by the end of the week that this matter be turned over to the County Attorney.

After further discussion on this matter, the Commissioners requested Mr. Cox, to draft a memorandum to the County Engineer, Land Use and Development, the Metropolitan Commission, Health Department, Soil Conservation Service, Planning Commission requesting them to appear before the Commissioners on March 10th from 3:30 p.m. through 5:00 p.m. The purpose of which is to discuss the Wicomico Shores Development as to evaluation what is taking place now as far as creating any potential problems for the County; for them to gather any material that they have in hand as to the development; to develop resources to deal with the situation and if all possible like to have all the information prior to the March 10th meeting in order that the Commissioners could review.

LINCOLN AVENUE - RECONSTRUCTION

Present: John Norris, County Engineer

Mr. Norris stated that reconstruction of Lincoln Avenue in his opinion should be widened 36 feet and sidewalk and curbing installed. He stated that it would be approximately two weeks before the cost of said project could be given to the Commissioners.

Also, there was another alternative, that being resurfacing the existing pavement of 20 feet in width and installing sidewalks and curbing. Both estimates would be given to the Commissioners.

CLASSIFICATION - HIGHWAY ADMINISTRATION MAPS

Present: John Norris, County Engineer

Mr. Norris stated that he had drafted a letter to the State Highway Administration as to the reclassification of roads by said Administration and was presenting same for approval by the Commissioners.

Due to the fact that all Commissioners were not present the letter will be reviewed at the next scheduled County Commissioner Meeting.

ACQUISITION OF RIGHT-OF-WAY

Present: John Norris, County Engineer

Mr. Norris presented a deed in reference the Chaptico-Mechanicsville Road and stated that it has been signed by all parties with exception of two property owners. The County Attorney has requested that Mr. Norris obtain the wife's signature on the deed since the parties are legally separated. Also, he is requested that the Treasurer waive the payment of the required property taxes so that the deed may be recorded. The taxes on this right-of-way will become the property of the County.

Commissioner Dean made a motion to authorize the President to exempt tax payment on the deed in reference the Chaptico-Mechanicsville Road and authorize signature to the deed to accept the property into Highway Road System. Seconded by Commissioner Jarboe. All Commissioners present voted in favor of the motion.

GRAVES ROAD

Commissioner Jarboe made a motion to have President to sign the deed for the new extension of Graves Road as directed by the Circuit Court for St. Mary's County. This instrument is in the form of a quit-claim deed between the Sydnors and Blantons on Graves Road, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

SATAV - KING KENNEDY ESTATES - ROADS

Commissioner Jarboe made a motion to accept the roads as presented in the deed dated February 5, 1976 between SATAV and the County in the subdivision known as King Kennedy Estates to be added to the County Highway Maintenance Roads System. Seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

ROLLING ACRES SUBDIVISION - CURTIS ROAD

Commissioner Dean made a motion to accept a strip of land into the County Highway Maintenance System by deed dated November 7th, 1974 between F. Elliott Burch and Benjamin Burroughs and the County known as Curtis Road in the Rolling Acres Subdivision, Section 3. Seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

PATUXENT KNOLLS - OAK DRIVE: OAK PLACE: OAK PORT (GOLDEN BEACH)

Commissioner Jarboe made a motion to accept into the County Road System by deed dated January 28, 1976 between Patuxent Knolls Subdivision and the County Commissioners for the Golden Beach Subdivision, Plat One, Section 7, the following roads, Oak Drive, Oak Place and Oak Port be accepted into the County Highway System. Seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

ST. MARY'S COUNTY AIRPORT

Present: John Norris, County Engineer

Mr. Norris stated that the Airport Committee has requested that five acres be cleared from the northern end of the runway to Hayden Road. The Airport Committee and the State Aviation Administration stated that this is a safety problem, and that it interferes with the landing of planes. There are two alternatives: Remove the trees or to top. Mr. Norris recommended if the trees were removed to sell them for the timber.

The selling of timber would help for the seeding, ditches, etc. as to cost. Mr. Norris has requested the Airport Committee to designate the trees to be removed. This matter will be discussed with the Airport Committee at a later date.

ROAD SIDE DUMPING

Present: John Norris, County Engineer

Mr. Norris stated that the St. Joseph's Development Project area is deplorable as to dumping of waste along the roadside. He stated that under Article 27, Section 468 that he was of opinion that the State's Attorney would have the power to prosecute. Commissioner Jarboe stated that he will draft a memorandum and send to the State's Attorney and the law enforcement officials as to what evidence that they would need in order to prosecute.

RICHNECK ROAD

John Norris stated that some repairs have been made to this road and the contractors have ceased hauling on this road. Hopefully this will help in this road situation. Mr. Norris stated that these repairs were done on a temporary basis and done primarily with the spreading of gravel.

CLOVERHILL MACINTOSH ROAD

Mr. John Norris stated that as fast as his office was patching the road the trucks were destroying the work done. The road will be continually in a state of disarray, but will continue to try and bring the road up to passable standards.

J. IRVING KNOTT

Commissioner Jarboe raised the question as to the progress of settling questions pertaining to the Hermanville Road project and J. Irving Knott. Mr. Norris responded that he had met with Mr. Cox and the County Attorney regarding this issue and that the County Attorney was in the process of investigating the receivership status of McGuire Rolfe Co. to determine how the county would make payment for due bills. Mr. Norris suggested that we await the County Attorney's determination and that the issue of payments to sub-contractors would be decided by the Court.

GRADING FEE EXEMPTION - D. C. GOVERNMENT

Commissioner Jarboe made a motion to return the grading fee as requested by the D. C. Government for \$1,177.00 on the riprap revetment project in holding shore erosion on the Potomac Shore Line. Seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

PATUXENT BASIN

Mr. McKay stated that John Norris and Richard Platt are the County Government representatives on the Patuxent Basin Commission. Replacements for the above will be discussed at a later meeting.

ST. CLEMENT'S MUSEUM

Commissioner Dean stated that at the last meeting of the County Commissioners that Mr. Michael Humphries has requested that the Museum be funded for a sump pump and an additional trash pickup. After discussion the Commissioners requested Mr. Cox to notify Mr. Humphries that in their opinion this should be taken up with John Baggett of Recreation and Parks. The Commissioners stated they thought that the funds should come from the Recreation and Parks budget.

ENCUMBRANCE VOUCHER

Mr. Cox stated that voucher 06638 has been voided and a new voucher has been prepared and after discussion with the parties revealed that payment should be made for the new voucher.

Commissioner Dean made a motion to approve payment of voucher 06795. Seconded by Commissioner Jarboe. All Commissioners voted in favor of the motion.

Meeting recessed at 4:56 p.m.

Thursday, February 26, 1976

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

The meeting reconvened at 9:30 a.m.

FLOOD HAZARD BOUNDARY MAP

Present: Richard Platt, Director, Land Use and Development

Mr. Platt submitted a letter for the Commissioners' review and approval to be forwarded to Gannett, Fleming, Corddry and Carpenter, Inc., the firm contracted by HUD to prepare flood hazard boundary maps for St. Mary's County, stating that the maps have been reviewed and are considered unsatisfactory and inadequate for the intended purposes.

Commissioner Millison made a motion that HUD be notified by way of copy of the above-mentioned letter that the maps are a duplication of maps previously submitted and are insufficiently accurate to be helpful to us, and further moved that the contractor should not be paid until useful maps are submitted, seconded by Commissioner Dean. All Commissioners voted in favor of the motion.

WATER QUALITY MANAGEMENT PLAN

Present: Richard Platt, Director, Land Use and Development

Mr. Platt submitted a letter for Commissioner McKay's signature in response to correspondence from Governor Mandel, pertaining to the state continuing the planning process on the Water Quality Management Plans. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said letter, seconded by Commissioner Dean. All Commissioners voted in favor.

WATER AND SEWER CONSTRUCTION PROJECTS

Present: Richard Platt, Director, Land Use and Development

Mr. Platt submitted a letter addressed to the Environmental Health Administration pertaining to the program for review of construction progress on water and sewer projects. Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said letter, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PATUXENT RIVER BASIN WATER QUALITY MANAGEMENT PLAN

Present: Richard Platt, Director, Land Use and Development

Mr. Platt apprised the Commissioners that the Patuxent River Basin Water Quality Management Plan is in its final draft update stage and that there will be meetings in March and April to review any changes. The Commissioners agreed that Mr. Platt should be the County's representative at these meetings.

OTHER ITEMS - OFFICE OF LAND USE AND DEVELOPMENT

Present: Richard Platt, Director, Land Use and Development

Mr. Platt brought the Commissioners up to date relative to the Energy and Coastal Zone Management Administration, Land Use Board, item before the Technical Advisory Board and Solid Waste Plan. Mr. Platt suggested to the Commissioners that a committee be formed to update the Solid Waste Plan.

STEUART PETROLEUM COMPANY SITE PLAN

Present: Michael Davis, Attorney representing Steuart's
Frank Steuart
Joseph Ernest Bell, II, County Attorney
Richard Platt, Director, Land Use and Development

Mr. Davis stated that he and Mr. Steuart are present today to ascertain from the Commissioners clarification of the Commissioners' letter of February 5, 1976, specifically, what information the Commissioners are requiring of Steuart. Commissioner Dean cited the section of the Zoning Ordinance setting forth the requirements for an applicant, and stated that the Commissioners would like to have quantitative and hard objective data that would satisfy the requirements of the Zoning Ordinance, and this would be the purpose of an environmental analysis. In addition, Commissioner Dean enumerated the procedure to follow in obtaining the analysis:

1. Commissioners should prepare the specifications for the analysis;
2. Steuart Petroleum Company and Environmental

Committee should have an opportunity to review and comment on the specifications, at which time Steuart would have an opportunity to decide whether they want to participate by paying for it.

3. Once the specifications have been agreed upon, the County would solicit proposals from firms to do the analysis.

4. Steuart Petroleum Company, Environmental Committee and the County Commissioners will review proposals, after which time a firm would be selected ultimately by the Commissioners.

Mr. Davis stated that he did not necessarily agree with the County Commissioners' interpretation of the Zoning Ordinance; however, Steuart would be willing to allow the Commissioners additional time to have the specifications drawn up, after which time they would be reviewed by Steuart for comments.

The Commissioners agreed to discuss among themselves at next week's meeting the specifications and forward them to Mr. Davis for his comments.

LEWIS MERCHANT - METROPOLITAN COMMISSION

Present: Mr. Lewis C. Merchant

Due to the fact that Mr. Merchant will be leaving as Chairman of the Metropolitan Commission, Mr. Merchant appeared before the Commissioners to bring them up to date of various projects of the Metropolitan Commission and to discuss pending items and membership on the Commission. The Commissioners thanked Mr. Merchant for his years of dedicated service to the Metropolitan Commission and to the County.

REZONING DECISION

CASE NO. 75-11

IRVIN K. JONES, HARRY LEONARD, AND BATES ASSOCIATES

The Commissioners conducted a public hearing on February 4, 1976 on the rezoning request of Irvin K. Jones, Harry Leonard and Bates Associates to have a parcel of land containing approximately 1.29 acres located on the north corner of the intersection of Md. Rt. 235 and St. Andrews Church Road, rezoned from Rural Residential (R-1) to Highway Commercial (C-2).

Commissioner Dean made a motion to deny the rezoning request because the findings of fact in this case show that:

1. There has been no significant population change or change in character of the neighborhood since the adoption of the Comprehensive Land Use Plan and Zoning Ordinance.
2. Commercial development of the parcel of could have significant impact upon the present and future traffic patterns of Md. Route 235 and St. Andrews Church Road because it is presently a major traffic intersection and may become the location of the Patuxent River Bridge access road;
3. It is incompatible with the Land Use Plan which discourages strip highway commercial development and impacting upon major intersections;
4. The lot falls to meet the minimum lot depth requirement for commercial development, though not sufficient basis upon which a decision is to be solely based, it is a legitimate factor to consider.
5. The recommendation of the Planning Commission was favorable.

Commissioner Jarboe seconded the motion. The Commissioners voted four to one in favor of the motion, with Commissioner Millison voting against the motion for the following reasons:

1. There was a change of neighborhood brought about by the change of development of the road in the area.
2. A new building at this corner would enhance the area.
3. This commercial establishment would create a larger tax base;
4. This site would not be a suitable location for a residential development for raising children.

LETTER TO FIRE BOARD - GUARANTEEING OF LOANS

The Commissioners agreed to sign and forward the letter to the St. Mary's County Fire Board pertaining to legislation which would enable the County Commissioners to borrow and loan funds to volunteer fire companies for the purpose of financing equipment purchase and/or capital improvement projects.

LETTER TO MECHANICSVILLE FIRE DEPARTMENT

The Commissioners agreed to sign and forward the letter to Mr. Simpson, President of the Mechanicsville Volunteer Fire Department pertaining to their request for the purchase of an emergency generator.

ACCEPTANCE OF STREETS INTO THE COUNTY HIGHWAY MAINTENANCE SYSTEM

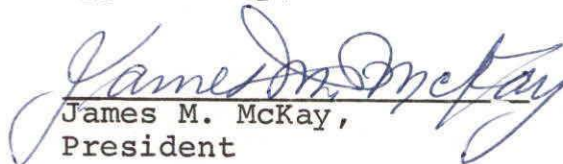
Commissioner Dean made a motion to rescind the motion of yesterday which approved acceptance of all streets and roads in King Kennedy Estates, Rolling Acres Subdivision (Curtis Road) and Section VII of Patuxent Knolls, and that said deeds should be held in abeyance until a response is received from the County Attorney as to whether a 12-month road maintenance bond can be required, seconded by Commissioner Jarboe. All Commissioners voted in favor.

ENCUMBRANCE VOUCHER NO. 06813

Commissioner Jarboe made a motion to approve Encumbrance Voucher No. 06813, payable to First National Bank, seconded by Commissioner Millison. All Commissioners voted in favor.

The meeting adjourned at 12:15 p.m.

Approved by,


James M. McKay,
President