

BOARD OF COUNTY COMMISSIONERS' MEETING

May 12-13, 1976

Wednesday, May 12, 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 came to order at 9:10 a.m.

READING AND APPROVAL OF MINUTES

The minutes of May 5-6, 1976 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

The Director of Finance presented the Encumbrance Vouchers for the Commissioners' review and approval. Commissioner Dean made a motion to approve payment of the bills, as presented, with the exception of Voucher No. 07665, which is being held for further clarification, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

AIRPORT MASTER PLAN

Present: Mr. Bourne (Bourne Gibson and Shamma)

With regard to last week's discussion concerning the increase cost for the Airport Master Plan from \$24,000 to \$26,000, Mr. Bourne appeared before the Commissioners to explain the increased amount of \$2,000 in the grant application. He stated that part of the application for the grant includes a provision for the County to recover some of its administrative costs, and therefore an additional \$2,000 was added to the application in order to file with the FAA for 2/3 participation. The contractual obligation with Bourne, Gibson and Shamma would still remain at \$24,000.

Commissioner Jarboe made a motion to sign the Application of Intent to Apply for State and Federal Aid for the Airport Master Plan, seconded by Commissioner Dean. All Commissioners voted in favor.

The County Administrator will prepare letters for the Commissioners' signatures, one to the State Clearinghouse and one to the Department of Transportation regarding the Airport Master Plan.

ECONOMIC IMPACT FEE - AIRPORT INDUSTRIAL PARK

In response to question raised at the Commissioners' meeting of May 5, 1976 from Mr. Joe Mattingly regarding the applicability of industrial sites to the Economic Impact Fee, the County Administrator provided copies of the Economic Impact Fee Resolution and recommended referring this question to the County Attorney for a determination. The Commissioners concurred.

BOARDS, COMMITTEES AND COMMISSIONS

The County Administrator distributed a list of existing and soon to be existing vacancies on the various boards, committees and commissions. The Commissioners scheduled June 1 at 7:00 p.m. for the Executive Session to discuss personnel.

TRAINING SESSION ON "BUDGET FORMULATION"

The County Administrator presented a request from the Budget Officer to attend a course of instruction entitled "Budget Formulation" in Philadelphia conducted by the Civil Service Commission July 19-23, 1976. Commissioner Jarboe made a motion to authorize the Budget Officer to attend said training session, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

NOTICE OF GRANT AWARD AND CONDITIONS
(TRAINING CONFERENCE ON JUVENILE JUSTICE)

With regard to the grant for the Training Conference on Juvenile Justice which Mr. **Kaminetz** (Juvenile Master) and Mr. Sparling (State's Attorney) attended, the County Administrator presented the Notice of Grant Award and Conditions, and recommended approval of same. Commissioner Dean made a motion to sign the Notice of Grant Award and Conditions seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

AFFIRMATIVE ACTION PROGRAM WORKSHOP

The County Administrator presented a request that the Personnel Officer be authorized to attend the Equal Employment Opportunity and Affirmative Action Workshop for Managers sponsored by the Management Development Center in Maryland to be held June 16-18. Only expense to the County would be the cost of daily round trip travel, tolls and parking.

Commissioner Jarboe made a motion to authorize the Personnel Officer to attend said Workshop, seconded by Commissioner Dean. Three Commissioners voted in favor of this motion with Commissioner McKay and Millison voting against.

MENTAL RETARDATION ADMINISTRATION AGREEMENT

The County Administrator presented the Department of Health and Mental Hygiene Mental Retardation Agreement for St. Mary's County for the Commissioners' review and approval.

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

ABATEMENT OF BUILDING PERMIT FEE
FIRST BAPTIST CHURCH OF LEONARDTOWN

The County Administrator presented correspondence from the First Baptist Church of Leonardtown requesting abatement of the building permit fee in the amount of \$49.00; said permit for a mobile home on the Church property located on Peggs Road in Lexington Park to be used as a parsonage.

The County Administrator recommended that the Commissioners favorably consider this request as it is in compliance with the County's Resolution No. 75-53 "Abatement of Building Permit Fees".

Commissioner Jarboe made a motion to grant this request, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

LETTER FROM BOARD OF EDUCATION
TRANSPORTATION (EXCEPTIONAL CONDITIONS)

Correspondence was received from the Board of Education regarding exceptional conditions for public school transportation and due to the fact that the State Department of Education suggested that plans be developed to eventually eliminate the necessity of requests for exceptional conditions, suggested that the County Engineer be given direction from the Commissioners as to the correction of certain exceptional conditions.

The County Administrator recommended that the County Engineer meet with school authorities to determine implementation of this request and return to the Commissioners. The Commissioners gave their concurrence.

LEASE FOR "WINGS OF THE MORNING" OFFICE

At the recommendation of the Budget Officer, as set forth in a memorandum dated May 6, 1976, Commissioner Jarboe made a motion to notify the owner of the trailer being used for the "Wings of the Morning" office that the County is going to terminate the lease for this office space June 30, 1976, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

DEPARTMENT OF STATE PLANNING
OFFSHORE EXPLORATION AND DEVELOPMENT ACTIVITIES SEMINAR MEETINGS

Correspondence was received from the Maryland Department of State Planning regarding a meeting on the impact of offshore exploration and development activities which will be held May 21, 10:00 a.m. in the Riverdale-Maryland -National Capital Park and Planning Commission Regional Office.

The County Administrator recommended that the Director, Land Use and Development, Mr. Platt; the County Planner, Mr. Kipp; and the Chairman of the Environmental Committee, Walter Raum, be requested to attend this meeting. The Commissioners concurred with this recommendation and Commissioner McKay added that he will also be in attendance.

ST. ANDREWS CHURCH ROAD - LITTLE LEAGUE

Correspondence was received from St. Mary's Little League Association concerning the safety hazards of the McLeod Field because of its close proximity to St. Andrews Church Road.

The County Administrator recommended that Mr. Baggett, Director, Recreation and Parks, and Mr. John Norris, County Engineer, meet with Mr. Taylor, President of the Little League and return to the Commissioners with recommendations. The Commissioners concurred.

COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

The County Administrator discussed the future needs statements relevant to the Community Development Block Grant Program which was presented at the Commissioners' meeting of May 6. Commissioner Jarboe made a motion that the Commissioners support the Community Development Block Grant Program (Community Development Plan Summary) as goals for St. Mary's County with the exception of the development of a county mobile home site, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

DEPUTIES AT FIRE DEPARTMENT CARNIVALS

The Sheriff forwarded a request that the Commissioners authorize the attendance of deputies at the various Fire Departments carnivals in St. Mary's County and to further authorize overtime pay to the deputies for this attendance as has been done in the past.

Commissioner Parlett made a motion to grant this request, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

SUBSCRIPTION TO "PUBLIC PRODUCTIVITY REVIEW"

At the request of the Budget Officer, Commissioner Dean made a motion to authorize the Budget Officer to purchase the subscription to "Public Productivity Review" at a cost of \$10.00 per year, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

BIDS ON INVESTMENTS

Present: Harris Sterling, Director of Finance

Bids were opened on investments this date as follows:

| <u>AMOUNT</u> | <u>TERM</u> | <u>MD. NAT'L</u> | <u>FIRST NAT'L</u> | <u>MD. BANK & TRUST</u> |
|---------------|-------------|------------------|--------------------|-----------------------------|
| \$300,000 | 32 days | 5.00% | 4.76% | 4.75% |
| \$200,000 | 60 days | 5.00% | 4.975% | 4.86% |
| \$275,000 | 90 days | 5.00% | 5.085% | 4.91% |

The Director of Finance recommended awarding the bids as follows:

\$300,000 to Maryland National Bank at 5.00%;

\$200,000 to Maryland National Bank at 5.00%;

\$275,000 to First National Bank at 5.085%.

Mr. Sterling further requested permission to place the sum of \$1,000,000 in Savings Account with the Maryland National Bank at 5% interest compounded daily which represents 5.12% Annual Rate. Of this sum, \$700,000 will be needed to meet the Board of Education request on May 27, 1976 and it is estimated that the Balance will be needed to meet the end of the month expenses.

Commissioner Dean made a motion to accept Mr. Sterling's recommendations, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

PROCLAMATION NO. 76-18
OLDER AMERICANS WEEK

Present: Mrs. McGaharn, Executive Secretary, Commission on Aging

Eloise Pickrell, ARP and NARF
Grace Loffler, Interfaith Volunteer Program
Commission on Aging members
Participants of Title VII Program

The Commissioners presented the above-referenced Proclamation urging all residents of St. Mary's County to support Federal, State and community programs, small groups in both private and public sectors design to assist Older Americans, and successful Older Americans Month in May of this year and each year hereafter.

FOOD SERVICE CONTRACT - COMMISSION ON AGING

Present: Mrs. McGaharn, Executive Secretary
Commission on Aging

Mrs. McGaharn brought to the Commissioners' attention that the proposed provider of food services for the Title VII Nutrition Program received a satisfactory rating from the Health Department restaurant inspection and that final approval of the water sample is pending.

SENIOR COMPANION PROGRAM

Present: Mrs. McGaharn, Executive Secretary

Mrs. McGaharn brought to the Commissioners' attention that progress is being made for the application for the Senior Companion Program and there are a few remaining details to be worked out.

TRAFFIC SIGNALIZATION BY STATE HIGHWAY ADMINISTRATION

Present: Larry Elliott, SHA
Arnold Gardner, SHA
John Norris, County Engineer

At the request of the County Commissioners representatives from the State Highway Administration appeared before the Commissioners to discuss SHA's determining factors for the placing of a traffic signal. Mr. Gardner explained that traffic signalization does not always make it a safer intersection. The greatest percentage of highly trafficked intersections are signaled intersections and provides for a safer flow of traffic or provides for intervals in an intersection where there is so much traffic.

Mr. Elliott explained the criteria used in evaluating the necessity for signalization (traffic volume, hours of volume, number of accidents at intersection, types of accidents, etc.) and it was determined that at the intersections of Rt. 235 and Patuxent Beach Road and Rt. 235 and Town Creek Drive that a traffic signal was not warranted at this time in that peak hours were for one hour in the morning and two hours in the afternoon, and that a majority of the accidents at these intersections may not have been prevented with signalization.

Commissioner Millison expressed concern with the safety of residents of that area and requested Mr. Elliott and Mr. Gardner to meet him at this area one morning to view the situation. Mr. Gardner stated they would make an appointment with him to do this.

GOVERNING BOARD - HEALTH SYSTEMS AGENCY

Commissioner Jarboe made a motion to recommend to the Governing Board of Health Systems Agency the name of Dr. William Marek for appointment to the governing body of the Health Systems Agency, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

LETTER TO DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT

The Commissioners agreed to sign and forward correspondence addressed to Mr. James A. McComas, Jr., Director, Division of Business and Industrial Development, Md. Department of Economic and Community Development with regard to Mr. McComas' presentation of Industrial Development Financing Authority, expressing an interest in participation by St. Mary's County.

ST. MARY'S COUNTY FIFTH INDEPENDENT FIFE AND DRUM CORPS

With regard to Mrs. Irva McKinney's discussion at the Commissioners' meeting of May 5 concerning the St. Mary's County Fifth Independent Fife and Drum Corps' attendance at youth concerts in Baltimore, the County Administrator reported that Mr. Baggett, Director, Recreation and Parks and Mr. Bartheleme, Recreation and Parks Supervisor, have been working with Mrs. McKinney to work out a solution.

AMENDMENT TO COMPREHENSIVE WATER AND SEWER PLAN
BEVERLY ESTATES

The Commissioners conducted a public hearing on April 14, 1976 for an amendment to the Comprehensive Water and Sewer Plan for Beverly Estates, Fourth Election District for a change in the water category from W-6 to W-3 for Sections 2 and 3.

Commissioner Dean made a motion to approve the amendment to the Comprehensive Water and Sewer Plan for Beverly Estates as set forth above, seconded by Commissioner Parlett. All Commissioners voted in favor.

AMENDMENT TO COMPREHENSIVE WATER AND SEWER PLAN
INDIAN RIVER ESTATES

The Commissioners conducted a public hearing on April 21, 1976 for an amendment to the Comprehensive Water and Sewer Plan for Indian River Estates Subdivision, Fifth Election District for a change in the water category from W-6 to W-2 and W-3.

Commissioner Dean made a motion to approve the amendment to the Comprehensive Water and Sewer Plan for Indian River Estates as set forth above, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

AMENDMENT TO COMPREHENSIVE WATER AND SEWER PLAN
WILDEWOOD SUBDIVISION

The Commissioners conducted a public hearing on April 21, 1976 for an amendment to the Comprehensive Water and Sewer Plan for Wildewood Subdivision, Eighth Election District for a change in the water category from W-4 to W-2 in Section One and W-3 for the remainder of Wildewood Subdivision.

Commissioner Dean made a motion to approve the amendment to the Comprehensive Water and Sewer Plan for Wildewood Subdivision, as set forth above, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

LEONARD HALL RENOVATION

Commissioner Jarboe made a motion that the Commissioners make a statement to go into the Notice of Public Hearing that it is the intent of the Board of County Commissioners at this time, pending outcome of the public hearing to do the following: To declare tentative approval of Phase I of the building renovation plans submitted by the architectural firm of Mosley-Henning Associates, with three exceptions:

1. No renovations to Building No. 2;
2. Courthouse Plan of Phase I will not be implemented at this time;
3. That the consultant design the remainder of Phase I in such a way as to allow progress to take place in Fiscal '76-'77 budget at a maximum encumbrance of \$950,000.

Commissioner Parlett seconded the motion. Three Commissioners voted in favor with Commissioners McKay and Millison abstaining.

TOURISM SEMINAR

Commissioner Jarboe stated he met with Jim Marsh, Chairman of the Economic Development Commission, regarding the setting up of a seminar on tourism and as a result of this discussion it is proposed that the Tri-County Council get involved in this effort. Therefore, Commissioner Jarboe made a motion that a letter be forwarded to Mr. McKinney of the Tri-County Council requesting that the TCC do an inventory and analysis of existing tourism in St. Mary's County, pinpoint deficiencies and recommendations for changes, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

Commissioner Jarboe suggested that the information received from Tri-County Council should be forwarded to Mr. John Nelson, Division of Tourism, Department of Economic and Community Development for his critique, and that the tourism seminar be scheduled in approximately six weeks.

LETTER TO NURSING HOME BOARD

Commissioner Dean presented correspondence to the Nursing Home Board of Directors for the Commissioners' review. The correspondence generally pertains to the conditions of employment of employees at the Nursing Home and the relationship between the Nursing Home Board of Directors and County Government. The intent of the correspondence is to clarify the details whereby the Nursing Home employees will be afforded employee benefits comparable to those of employees in County Government while not becoming part of the county personnel system.

Commissioner Dean made a motion to sign and forward said letter, seconded by Commissioner Jarboe. Four Commissioners voted in favor with Commissioner Millison voting against stating that he was under the impression that the personnel of the Nursing Home should be placed under the county merit system.

RC&D ROADSIDE EROSION CONTROL

Present: John Hall, Soil Conservation Service
John Norris, County Engineer

Mr. Hall presented the following documents with regard to the Southern Maryland Resource Conservation & Development Project for the Commissioners' review and approval:

1. St. Mary's County Roadside Critical Area Treatment Measure Plan;
2. Operation and Maintenance Agreement;
3. Notification of Intent to Apply for State or Federal Aid.

Objective of the Program is to stabilize and control erosion on the roads around the County so that there will be less maintenance.

Commissioner Jarboe made a motion to approve and authorize Commissioner President McKay to sign the three aforementioned documents, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

FAIRGROUNDS PROPERTY

Present: John Hall, Soil Conservation Service
John Norris, County Engineer

Mr. Hall reported to the Commissioners that he has not been able to complete the topography studies of the Fairground property at this time, but will try to work with the County Engineer who will be returning to the Commissioners with recommendations on this project.

TOURIST INFORMATION CENTER

Present: Nick Smith, Executive Director, Chamber of Commerce
 Bert Fenwick, Vice President, " " "
 Mary Salisbury, " " "
 Members of the Board of Directors, " " "

The Chamber of Commerce appeared before the Commissioners to discuss the letter from the Board of County Commissioners to the Chamber of Commerce in which the Chamber was requested to assume the management role of the proposed Tourist Information Center at the "White House" at Charlotte Hall. After general discussion of many details and factors the Chamber expressed by written correspondence dated May 11, 1976 to the Commissioners that the Chamber is willing to accept the management responsibility of the Tourist Information Center in the person of its Executive Director, Nick Smith, and the volunteer assistance, where possible, of the members of the Chamber.

It was agreed that the County would provide site, directional signs, capital improvements, personnel, operation costs, and materials for the Tourist Information Center operation;

Further, that the Chamber would accept the management responsibility for program planning, personnel training and supervision, and community coordination;

Further, that the Chamber's Executive Director would be reimbursed for use of personal vehicle for Tourist Information Center related travel, that the Chamber's Executive Director will be prime member on the committee to select staff;

And, further, that the Center will have a formal opening at 10:00 a.m. on May 28, 1976 in order to be operational for the Memorial Day weekend.

TITLE VII GRANT APPLICATION (COMMISSION ON AGING)

Present: Mrs. Agnes C. McGaharn, Executive Secretary
 Commission on Aging

Mrs. McGaharn presented the Title VII Grant Application for the Nutrition Program for the Commission on Aging for the Commissioners' review.

GOLDEN BEACH ROAD RIGHT-OF-WAY

Present: John Norris, County Engineer

The County Engineer presented Deed dated May 5, 1976 by and between Helena E. Blanchfield and the County Commissioners of St. Mary's County for land situated in the Fifth Election District, being a strip of land 50 feet in width that will serve as the road width for a portion of the Golden Beach Road right-of-way. Commissioner Parlett made a motion to accept said Deed, seconded by Commissioner Dean. All Commissioners voted in favor of this motion.

MECHANICSVILLE POND

Present: John Norris, County Engineer

The County Engineer stated that the County had issued a contract in March to Delahay Pile Driving Service to do bulkhead work at the Mechanicsville Pond and stated that there are problems with the work done and the subcontractor, who has provided material, labor and most of the equipment has indicated they would like to correct the problems. Mr. Norris stated that the prime contractor, Delahay, was not interested in correcting the problem. The Commissioners requested the County Engineer to contact the County Attorney with regard to this matter.

RICHNECK ROAD (WEIGHT RESTRICTION)

Present: John Norris, County Engineer

The County Engineer presented the standard form resolution to restrict the weight on certain county roads because of hazardous conditions, and mentioned specifically conditions existing on Richneck Road caused by the hauling of dump trucks.

Commissioner Jarboe made a motion to adopt the above-referenced resolution resolving that the weight limit for motor vehicles, trucks, trailers and similar types of equipment (with the exception of vehicles providing emergency services, such as fire equipment, fuel oil delivery, etc.) be restricted to 12,000 pounds per axle on Richneck Road, County Route 3083, to be effective the date it is posted, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ONE-DAY COURSE - TRAFFIC CONTROL DEVICES

Present: John Norris, County Engineer

The County Engineer advised the Commissioners that he and personnel from his office would be attending a short-course in Traffic Control Devices, on June 16, 1976, conducted by the University of Maryland in cooperation with the Department of Transportation. The Commissioners concurred.

EXECUTIVE SESSION

Present: John Norris, County Engineer

The Commissioners agreed to meet in Executive Session to discuss personnel matters.

The meeting recessed at 4:45 p.m.

Thursday, May 13, 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 9:10 a.m.

TITLE VII GRANT APPLICATION - NUTRITION PROGRAM

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell appeared before the Commissioners to discuss the Title VII Grant that had been presented to the Commissioners by Mrs. McGaharn, Executive Secretary, Commission on Aging, at yesterday's meeting. Mr. O'Dell stated that some policy matters should be given consideration: (1) whether the Commissioners were going with soft or hard match for the Title VII Grant; (2) whether the Commissioners want to add additional people as indicated by the grant; namely, Assistant Director; and (3) Mrs. McGaharn should return to the Commissioners and explain the Title VII Program in detail to the Commissioners.

The Commissioners concurred with Mr. O'Dell's recommendations and added that it should be determined if the Commission on Aging members had reviewed the Grant Application.

BOND ISSUANCE

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell reported that he had met with the Metropolitan Commission to discuss the Metropolitan Commission's bond issuance. He stated that completing the necessary financial disclosure information with regard to the Metropolitan Commission's bond issuance will take a great deal of his and Mr. Sterling's, Director of Finance, time. Mr. O'Dell inquired if the Commissioners were contemplating issuing county bonds in the near future, and if so, it would be imperative that consideration be given to including the County's bond issue with Metropolitan Commission's.

RESCUE SQUAD ALLOTMENT

Present: Joseph O'Dell, Budget Officer

Mr. O'Dell presented a breakdown of all calls responded to by the rescue squads in the County and stated that a policy needs to be established for allocation of funds that would be equitable to all rescue squad departments.

BUILDING PERMIT DIFFICULTIES
APPEAL CASE NO. 75-7 - DIANE HALL

Present: Diane Hall
Irvinette Hall
Joe Garner, Zoning Technician

Mrs. Hall appeared before the Commissioners to explain the building permit difficulties she has encountered with regard to her property located off of Compton Road, Third Election District. Mrs. Hall had been issued a building permit which had been revoked, because the application was for a bedroom, when in actuality it was for a beauty shop. In the meantime, an adjacent property owner objected to the building as it was too close to the property line and the Office of LUD would not reissue the building permit, and therefore Mrs. Hall appeared before the Board of Appeals to try to get the building permit reinstated. The Board of Appeals ruled that the building permit not be reinstated. Mrs. Hall appealed the decision to Judge Mattingly who remanded the case back to the Board of Appeals for additional testimony.

Mrs. Hall stated she has now come before the Commissioners to try to get relief from the Board of Commissioners for the building permit. The Commissioners advised Mrs. Hall that they do not have authority to dictate action to the Board of Appeals, and requested Mr. Garner to assist Mrs. Hall in any way possible, and that it would be important to determine the parent tract of land.

SUMMER YOUTH EMPLOYMENT PROGRAM

Present: Bob Wentworth, Executive Secretary, Youth Commission
Ken Rossignol
Nace Fresco, Personnel Officer

Mr. Wentworth presented the proposed total budget for the Summer Youth Employment Program which listed the proposed projects and placements. Mr. Wentworth stated new CETA money will hopefully be available for this Program and suggested that a large percentage of the Program be funded with the new CETA funds. The Commissioners concurred with the Summer Youth Employment Program proposal and with the use of CETA funds for the Program.

ZONING ORDINANCE VIOLATIONS

Present: Richard Platt, Director, Land Use and Development
Jamie Raley, Zoning Inspector

Mr. Platt and Mr. Raley presented a memorandum dated May 12, 1976 setting forth four mobile home violations to the St. Mary's County Zoning Ordinance.

James E. Norris of Ridge - location of mobile home on the lot is a violation of the Zoning Ordinance and subdivision requirements. Additional land would have to be purchase in order to make up the deficiency. The Office of Land Use and Development recommended legal action in this case.

Mr. and Mrs. Cyril Gareck of Park Hall - location of mobile home on the lot is a violation of the Zoning Ordinance. The Office of Land Use and Development recommended legal action in this case.

Mr. Charles Green of Drayden - location of mobile home on the lot is a violation of the Zoning Ordinance because the permitted maximum density of the parcel had already been exceeded. The Office of Land Use and Development recommended legal action in this case.

Mr. Alan L. Fenwick of Oakville - None of the required permits have been obtained for the placement of the trailer and permitted maximum density had already been attained, placement of the trailer could, therefore, not be permitted. The Fenwicks had expressed to the Office of Land Use and Development that they were having trouble finding a place to relocate. The Office of Land Use and Development recommended legal action.

The Commissioners agreed that in cases of violation to the Zoning Ordinance that if there was a mechanism within the Zoning Ordinance for legally overcoming the violation either by Board of Appeals or decision of the Zoning Administrator, this should be offered to the individual who is in violation. If the individual makes no effort for compliance or there is no other recourse, then the case should be referred to the State's Attorney.

COLLECTION OF ECONOMIC IMPACT FEE

Present: Richard Platt, Director, Land Use and Development

Mr. Platt submitted a proposed (revised) procedure for collection of the Economic Impact Fee for the Commissioners' consideration.

RYKEN POOL LEASE

Present: John Baggett, Director, Recreation and Parks
Oscar Horton, President, Leonardtown Recreation Council

Mr. Horton presented the lease by and between the American Central Province of Xaverian Brothers, Inc., the County Commissioners of St. Mary's County and the Leonardtown Recreation Council for the use of the pool located at Ryken School, and requested a certificate of insurance by a rider to the County's policy, and to be reimbursed by the Leonardtown Recreation Council and the processing of the pool payroll through Recreation and Parks payroll and also technical assistance from the Department of Recreation and Parks.

Commissioner Jarboe made a motion to authorize Commissioner President McKay to sign said lease and to approve the above-mentioned requests, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

WICOMICO SHORES

Commissioner Dean stated he had discussed with the County Attorney determination of the County's legal obligation with regard to Wicomico Shores and it was Mr. Bell's opinion that a determination would not be needed at this time, but should be done when the occasion arises. After discussion, the Commissioners agreed to discuss this matter with the County Attorney at next **week's** meeting.

ALLGOOD VS. COUNTY COMMISSIONERS

Commissioner Jarboe made a motion to authorize the County Attorney to make settlement for the County in the above-referenced case and to authorize Commissioner President McKay to sign checks in the amount of \$2,000 and \$62.94 source of funds to be determined by Budget Officer, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

WILDEWOOD SUBDIVISION

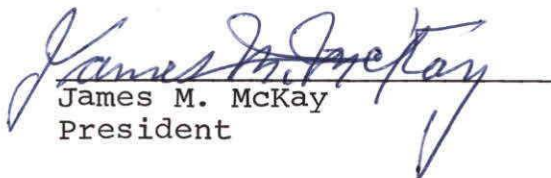
With regard to the request by the developers of Wildewood Subdivision to locate cables of Southern Maryland Electric Company and C & P Telephone Company on the outer five foot edge of the County rights-of-way, Commissioner Dean made a motion that a letter be developed by the County Engineer and forwarded to the developer granting this request, seconded by Commissioner Jarboe. All Commissioners voted in favor of this motion.

BUDGET MESSAGE

The Commissioners agreed to sign and distribute the Budget Message to the public which had been developed by the Budget Officer.

The meeting adjourned at 12:15 p.m.

Approved by,


James M. McKay
President

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