

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 23, 1983

Present: Commissioner George R. Aud, President
Commissioner Larry Millison, Vice-President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

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

APPROVAL OF VOUCHERS

Commissioner Millison moved, seconded by Commissioner Aud, to approve payment of the bills as submitted. Motion unanimously carried.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of August 16, 1983 as submitted. Motion unanimously carried.

EXECUTIVE SESSION

Present: Walter Dorsey, State's Attorney
Joseph R. Densford, Assistant County Attorney
Frank Gerred, Director, Office of Planning & Zoning
John Baggett, Director, Recreation & Parks
Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Dean, to meet in Executive Session in order to discuss a matter of litigation. The Session was held from 9:15 to 10:30 a.m.

(Commissioner Millison left the meeting - 10:30 a.m.)

SOUTHAMPTON SUBDIVISION

Present: Joseph M. Gough, President, First National Bank of St. Mary's

Mr. Gough appeared before the Commissioners to request that the County acknowledge ownership of a road in Southhampton Subdivision referred to as Cambridge Street and acknowledge that the road will be taken into the County's system when built. Mr. Gough explained that First National acquired the property and sold three lots to Farmers Home Administration loan buyers. Part of the financing process required by FmHA is that there be a public street where there are two or more dwellings. He stated that streets in Southhampton had been given to the County by St. Mary's Realty, Inc. in 1969; however, the road in question has not been built. The bank intends to construct the road which is 77 feet long and 24 feet wide, but because of the configuration of the subdivision, it cannot be built to County standards. Mr. Gough requested that the County Engineer provide specifications for the construction of this road and that the bank is willing to do whatever is needed, within reason.

SOUTHAMPTON SUBDIVISION (Continued)

After discussion, Commissioner Aud moved, seconded by Commissioner Dean that the County will agree to accept the road into the County's Highway Maintenance System after First National Bank of St. Mary's has constructed it to a reasonable standard as mutually agreed upon by the County Engineer, County Commissioners and First National Bank of St. Mary's. Motion carried. Once an agreement has been reached, the County Engineer is to provide specifications for the construction of the road within a reasonable time.

PRIVATE COMMON DRIVEWAYS
(DISCUSSION)

Present: Frank Gerred, Director, Office of Planning & Zoning
Joseph M. Gough, Chairman, Planning Commission

Commissioner Dean stated as a result of discussion of the issue of private common driveways on July 26, 1983, several points need to be considered.

1. Whether to allow private common driveways;
and if allowed
2. Whether to require certain road standards;
3. To require assurance of maintenance, through a Homeowners' Association or other means;
4. Determination of maximum number of lots to be served;
5. Determination of maximum length of road.

Commissioner Dean stated that he was of the opinion that if properly done there is a place for private common driveways and that they should not just be limited to PUD's.

During discussion it was the concensus of the Commissioners to request Mr. Gerred to prepare a working paper for the Commissioners review setting for the particulars derived from this session including the following:

1. That there be required standards for construction with a design review process perhaps by the Planning Commission; (Mr. Gough requested that this provision include delegating authority by the Planning Commission.)
2. That a homeowner's association or maintenance agreement definitely be required, and that it be executed by the lot owners.
3. That the maximum number of lots allowed not exceed seven for single family homes; however, the numbers could be increased for townhouse development.
4. That there be a maximum road length provision with a built-in flexibility for waiver by the Planning Commission on a case-by-case basis if justification is shown.

(Commissioner Millison returned to the meeting-11:00 a.m.)

CORRESPONDENCE FROM PUBLIC SERVICE COMMISSION
INSTALLATION OF UTILITIES IN NEW DEVELOPMENTS

Present: Frank Gerred, Director, Office of Planning & Zoning

Mr. Gerred advised the Commissioners of correspondence dated August 16, 1983 from the Public Service Commission advising of legislation requiring bonding by the developers for utility line installation. Mr. Gerred stated that St. Mary's County has developed a process of notifying the utility company of an upcoming subdivision and allow them to make contact with the developer regarding requirements. He advised that this method has been working well in the County and he would not recommend making any changes. The Commissioners gave their concurrence.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) SHERIFF'S DEPARTMENT
CORRECTIONAL OFFICER

By memorandum dated August 22, 1983, the Personnel Officer recommended the selection of Leonard E. Wathen to fill the Correctional Officer vacancy in the Sheriff's Department, Grade 11, effective August 29, 1983. Commissioner Aud moved, seconded by Commissioner Sayre, to accept this recommendation. Motion unanimously carried.

2) ST. INIGOES LANDING SUBDIVISION
PUBLIC WORKS AGREEMENT

On behalf of the County Engineer, the County Administrator presented a Public Works Agreement by and between Barbara B. Graham, Toby A. Bramble and Willard C. Bramble and St. Mary's County for St. Inigoes Landing Subdivision, Section II in addition to an extension of the Letter of Credit.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Public Works Agreement. Motion unanimously carried.

3) NOTIFICATION OF GRANT AWARD
SIERRA HOUSE-RESIDENTIAL PROGRAM

The County Administrator presented a Notification of Grant Award dated July 26, 1983 for the Drug Abuse Administration Grant for the Sierra House-Residential Program in the amount of \$102,347 for FY '84.

Commissioner Dean moved, seconded by Commissioner Aud, to authorize Commissioner President Aud to sign said NGA. Motion unanimously carried.

4) FORREST RUN SUBDIVISION
RELEASE OF FIFTH DRAW

On behalf of the County Engineer, the County Administrator presented a request for release of the fifth draw in the amount of \$14,400 to Edward Cook for completion of the sidewalks and driveway entrances in the Forrest Run Subdivision.

Commissioner Dean moved, seconded by Commissioner Arnold to approve the release as recommended by the County Engineer. Motion unanimously carried.

5) BUDGET AMENDMENT NO. 84-12
RECREATION AND PARKS/ST. CLEMENTS MUSEUM

The County Administrator presented the referenced Budget Amendment for the transfer of budget authority based on revised priorities as recommended by the Director of Budget & Data Services.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said Budget Amendment. Motion unanimously carried.

6) MARYLAND STATE LOTTERY AGENCY
LOTTO GAME SUBSCRIPTION

The County Administrator reviewed correspondence dated August 10, 1983 from the Maryland State Lottery Agency regarding implementation of the Lotto game and requesting the County to act as an agent for the game to get employees to sign up for subscriptions. Mr. Cox recommended that the County not participate in that it would place us in competition with local businesses. The Commissioners concurred with this recommendation.

7) CLEARINGHOUSE PROJECT NO. 83-8-911
SENIOR COMPANION PROGRAM

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that it is not inconsistent with this agency's plans, programs, or objectives. The Commissioners gave their concurrence.

8) INTERIM PROCEDURES
JOB SERVICE COMPONENT PLAN
SOUTHERN MARYLAND SERVICE DELIVERY AREA

Mr. Cox presented correspondence dated August 15 from the Department of Human Resources with an interim procedure for the referenced Plan which was drawn up by the three area offices of Employment Security. The Plan provides for the continuance of counselors in each Employment Security Office to be funded by the Job Training Partnership Act, which positions had previously been funded through CETA. He stated that it is recommended by the Southern Maryland Private Industry Council to approve this Interim Plan and authorize Commissioner President Aud to sign the Agreement which will continue the program for nine months.

Commissioner Dean moved, seconded by Commissioner Arnold to accept this recommendation and authorize Commissioner President Aud to sign said Agreement. Motion unanimously carried.

9) COMMUNITY ACTION AGENCY

The County Administrator advised that 1982 state legislation requires the reorganization of community action agencies and by memorandum dated August 12, 1983 Charles County has submitted a proposed plan of composition and implementation for the tri-county area. A fifteen (15) member board (five from each county) is recommended from the proposed Tri-County Community Action Agency for the purpose of combatting the causes and problems of poverty in the area. This revised agency will carry out the programs of the current community action agencies. Mr. Cox stated that it is recommended that the Commissioners accept the proposal from Charles County.

Commissioner Dean moved, seconded by Commissioner Aud, to accept the County Administrators recommendation and accept the proposal for the re-establishment of the Tri-County Community Action Agency. Motion unanimously carried.

ZONING AMENDMENT RESOLUTION NO. Z83-13
AMBER MEADOWS (MAYJACK, INC.)

Present: Frank Gerred, Director, Office of Planning & Zoning

(Requesting rezoning and approval of a concept development site plan for approximately 52 acres, located off MD Route 235 and Chancellor's Run Road in the Eighth Election District, on Tax Map 42, Block 6, portions of parcels 18, 51, and 71, from R-2, Residential to MH, Mobile Home Park.)

Mr. Gerred presented the referenced Zoning Amendment Resolution granting the requested rezoning thereby reclassifying the property from R-2, residential to Mobile Home Park District with the following conditions:

1. There shall be an access road from the proposed mobile home park to both Chancellors Run Road and MD Route 235.
2. Each unit in the proposed mobile Home park will be subject to the County's \$200.00 economic impact fee and \$300.00 parks and recreation fee.

Commissioner Aud moved, seconded by Commissioner Sayre, to approve and sign said Zoning Amendment No. Z83-13. Commissioner Millison and Dean abstained. Motion unanimously carried.

10) GRADING AGREEMENT
WOODLAKE CONDOMINIUM

On behalf of the County Engineer, the County Administrator presented a Grading Agreement dated August 15, 1983 by and between Paragon builders, Inc. and St. Mary's County for Woodlake Condominium of Wildewood. The Commissioners gave their concurrence to authorize Commissioner President Aud to sign said Agreement. (Commissioner Dean abstained.)

PROCLAMATION NO. 83-61
TALL CEDAR ROSE WEEKEND

Present: Arthur Garde, Jr. Tall Cedars of Lebanon
Earl Brown, Tall Cedars of Lebanon
Charles Page, Tall Cedars of Lebanon
Jack Witten, Telethon Coordinator
Pat Miller, Lexington Park JayCee's

The Commissioners presented the referenced Proclamation designating September 2-5, 1983 as Tall Cedar Rose Weekend on behalf of the Muscular Dystrophy Campaign.

ADJOURNMENT

The meeting adjourned at 12:15 p.m.

Approved:


George R. Aud, President