

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, October 11, 1983

Present: Commissioner George R. Aud, President  
Commissioner Richard D. Arnold  
Commissioner David F. Sayre  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

(Commissioners Larry Millison and Ford L. Dean were not present.)

The meeting was called to order at 9:15 a.m.

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, October 4, 1983 as submitted. Motion unanimously carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATORS ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENTS  
BOARDS, COMMITTEES, AND COMMISSIONS

A. Historic District Commission

Commissioner Aud moved, seconded by Commissioner Sayre to appoint Professor H.K. Reynolds to the Historic District Commission for a term to expire June 30, 1986. Motion unanimously carried.

B. St. Mary's Council on Children & Youth

Commissioner Sayre moved, seconded by Commissioner Arnold, to appoint Jennifer Kalendak and Billie Jean Pipkin (Students) to the St. Mary's County Council on Children & Youth for terms to expire June 30, 1984. Motion unanimously carried.

2) ROAD RESOLUTION NO. 83-18

On behalf of the County Engineer, the County Administrator presented the referenced Road Resolution changing the name of St. Joseph's Development Road to Kavanagh Road. The Commissioners agreed to authorize Commissioner President Aud to sign said Resolution.

3) ST. MARY'S HOSPITAL PROJECT  
REQUISITION NO. 19

The County Administrator presented referenced Requisition No. 19 in the amount of \$354,015.00 for costs incurred for the new hospital project. Commissioner Arnold moved, seconded by Commissioner Sayre to approve and sign Requisition No. 19. Motion unanimously carried.

COUNTY ADMINISTRATORS ITEMS (Continued)

4) ST. MARY'S NURSING HOME PROJECT

The County Administrator presented two proposals received for attorney's assistance in the proposed 140 bed nursing home facility for St. Mary's County. He stated that it is recommended that the proposal from the firm of Piper & Marbury be accepted because of lowest cost and long standing relationship with the County.

The Commissioners unanimously gave their concurrence.

5) SPECIAL JOINT COMMITTEE ON TRANSPORTATION

The County Administrator presented correspondence for the Commissioners' review and signatures addressed to the Special Joint Committee on Transportation regarding an equitable distribution transportation revenues to Maryland's subdivisions and recommending changes in the County Transportation Bond Program. The Commissioners agreed to sign and forward said letter.

ASSESSMENT OFFICE LEASE

Present: Paul Raley, Director, Purchasing & Logistics

Mr. Raley advised the Commissioners that the current lease with the State for the Assessment Office will expire in December. The current rate is \$5.25 per square foot, and Mr. Raley requested authorization to negotiate a new lease at \$7.00 per square foot on a year-by-year basis. The Commissioners gave their concurrence.

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) HELEN ESTATES SUBDIVISION  
ACCEPTANCE OF DEED

Mr. Norris presented a Deed dated March 10, 1977 by and between Israel Z. Swarey and Ezra Swarey and the County Commissioners of St. Mary's County for the acceptance into the County Highway Maintenance System of the following roads in Helen Estates Subdivision, Section: 2 Forest Hall Drive and St. Thomas Drive.

Commissioner Arnold moved, seconded by Commissioner Sayre, to accept and authorize Commissioner President Aud to sign said Deed. Motion unanimously carried.

2) PROJECT NO. SM 83-3-1  
BUSHWOOD WHARF RECREATIONAL AREA

Mr. Norris presented an Agreement dated October 11, 1983 by and between E.A. and J.O. Crandell, Inc. and the Board of St. Mary's County Commissioners for boat ramp reconstruction and site improvements at the Bushwood Wharf Recreational area.

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

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

3) PROJECT NO. SM 84-6-2  
EXTERIOR PAINTING AT GOVERNMENTAL CENTER

Mr. Norris presented the bid tally sheet for the referenced project and recommended awarding the bid to Tinsley & Son Decorators, the lowest bidder in the amount of \$5,877.

4) PROJECT NO. SM 84-4-2  
VEHICLE MAINTENANCE FACILITY AND ENGINEER'S OFFICE BUILDING  
GOVERNMENTAL CENTER

Mr. Norris displayed the plans of the referenced project and described the location, and basic construction of the buildings. He stated that he has been working with the Board of Appeals with regarding to roads and drainage. Mr. Norris stated that the site plan has been reviewed by all appropriate agencies and has received the necessary permits, and therefore requested authorization by the Board to proceed to solicit bids for the construction project.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize the County Engineer to solicit bids as requested and further to authorize Commissioner President Aud to sign the title page to the plans. Motion unanimously carried.

5) FORREST RUN SUBDIVISION  
DRAW NO. 7

Mr. Norris requested the Commissioners authorization to release Draw No. 7 in the amount of \$10,000 to Edward J. Cook for Forrest Run Subdivision for the completion of the seeding, sodding and stabilization. The Commissioners unanimously gave their concurrence.

EXECUTIVE SESSION

Present: Frank Gerred, Director, Office of Planning & Zoning  
John Baggett, Director, Recreation and Parks

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of land acquisition. The Session was held from 10:10 a.m. to 10:30 a.m.

STATE SEDIMENT CONTROL PLAN

Present: Frank Gerred, Director, Office of Planning & Zoning  
John Norris, County Engineer  
John Hall, IV, Soil Conservation Service

Mr. Gerred advised the Commissioners of correspondence dated August 31, 1983 received from the Department of Natural Resources regarding the Responsible Personnel Certification Program as a requirement of the State Sediment Control Law. As of July 1, 1983 a building permit or grading permit cannot be issued to anyone who does not have certification by a "responsible person" on the construction job. The State has been offering seminars throughout the State on the Certification Program, and Mr. Hall indicated that one has been held in the County and others will follow as necessary.

In discussing the referenced matter, Mr. Gerred indicated that there are certain exceptions to the law.

In closing, Commissioner Aud pointed out that it is important to make the public aware of the law and its requirements.

FIFTH DISTRICT COMMUNITY PARK

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett advised the Commissioners of the need to develop two soccer fields at the Fifth District Community Park at a cost of approximately \$32,000. A proposal has been received from the St. Mary's Pigskin Football Club for the installation of lighting for the football field and soccer field (which are used interchangeably) with the labor to be donated by the members of the Pigskin Club in the Fifth District. Cost for materials will be approximately \$3,000.

Mr. Baggett explained that there is currently a grant for lighting two fields at Dorsey Park in Hollywood; however, there appears to be need for lighting of just one field. Therefore, Mr. Baggett recommended that the Commissioners approve of transferring funds from the Dorsey Park grant in the amount of \$35,000 to the Fifth District Park.

After discussion, Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Program Open Space Grant Application for the Fifth District Community Park Development No. 3 project in the amount of \$35,000, and that this amount be transferred from the Dorsey Community Park Grant. Motion unanimously carried.

ST. MARY'S COUNTY DEPARTMENT OF ECONOMIC & COMMUNITY DEVELOPMENT

Present: Joseph Mitchell, Director

1) NAVY RELOCATION PROGRAM - ST. MARY'S GARDEN APARTMENTS

Present: Joseph Weikert, Relocation Officer  
Virginia Sullivan  
J. Harry (Chip) Norris, III  
Carolyn Proffitt, Relocation Program Manager  
Carolyn Smith, Relocation Counselor  
Mary Brien, Relocation Counselor  
John Meyers, Relocation Counselor

Mr. Mitchell advised the Commissioners that the Navy's Relocation Program at St. Mary's Garden Apartments, which was started earlier this year, is more than half complete. He stated that Mr. Weikert has done an outstanding job in this effort, and he has now been offered a new position in Washington D.C., which he has accepted.

The Commissioners presented Mr. Weikert with a Commendation for his dedicated efforts in the Relocation Program and wished him every success in his new endeavor.

2) COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM

In that the Community Development Block Grant for St. Mary's County has been approved, Mr. Mitchell requested authority from the Board to begin the hiring process for the positions funded by the Block Grant in order to get the program started. He stated that the position would be paid from Grant funds, and no county funds involved.

The Commissioners gave their concurrence.

PUBLIC HEARING  
PRIVATE COMMON DRIVEWAYS

Present: Frank Gerred, Director, Office of Planning & Zoning  
John Norris, County Engineer  
Edmund Wettengel, developer, Wildewood  
James Kenney, Attorney, Wildewood  
Robert Dean, developer  
Herb Redmond, D.H. Steffens, Co  
Jerry Nokleby, Lorenzi, Dodds, & Gunnil  
Dan Ocher  
Michael Wettengel

The Commissioners conducted a Public Hearing regarding a proposal to amend the St. Mary's County Zoning Ordinance, Subdivision Regulations and Road Ordinance to allow the establishment of joint use private access drives in residential developments of single family detached homes.

Mr. Gerred read the Notice of Public Hearing.

Mr. Norris reviewed the opinion of his office regarding private common driveways and discussed the potential problems that could evolve. He stated that he felt that in future time these roads would eventually end up being taken into the county's road system.

Mr. Gerred stated that it was the recommendation of his office that private common driveways only be done with a Homeowners' Association in place to maintain the roads.

Mr. Wettengel commented that Wildewood has installed private roads in some sections, that there is a Homeowners' Association, and it appears to be successful.

Mr. Nokleby indicated that it is his firm's belief that there be certain standards established, and that they are in favor of seven lots--two fronting on the main road and five in the back. The length should be limited to 250 feet and that whatever criteria is developed that they be built with the idea that they not be taken over by the County.

Mr. Kenney questioned the advisability of allowing private roads except in certain limited situations such as PUD's.

Discussion ensued as to the flexibility of minimum standards, enforcement, and under what type of situations private roads would be allowable.

Mr. Norris advised that the County has experimented with a 16-foot wide opened section street (in Hollywood Shores) and found that in some instances that is an acceptable design. In those cases, a private road would not be needed and it could be built for the County. All parties present stated they had no problem with that design for those circumstances allowing it; however, it did not address the problem in all situations.

In closing, it appeared to be the concensus of those present that if private common driveways are allowed that they be asphalt paved and no longer than 400 feet in length.

Commissioner Aud stated that the absent Commissioners will be given an opportunity to review the record of the public hearing, after which a decision will be made.

Hearing no further comments, the hearing was closed.

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PERCOLATION TEST PROBLEMS  
MRS. WHITING-ST. JAMES

Present: Mrs. Ella Maie Whiting

As a follow up to her presentation to the Board on August 16, 1983 Mrs. Whiting appeared before the Commissioners to advise that she is still encountering difficulties with the Health Department in trying to get approval for the placement of a modular home on her property. She stated that in 1980 she had five percolation tests taken on her property, three of which passed. The Health Department advised her that she did not have adequate size property, 10,000 square feet, to place the trailer

The Commissionrs advised Mrs. Whiting that her only recourse is to appeal to the local Health Department's decision to the State.

ADJOURNMENT

The meeting adjourned at 3:30 p.m.

Approved:

  
George R. Aud, President