

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, November 27, 1984

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

(Commissioner Ford L. Dean was not present.)

CALL TO ORDER

Commissioner Aud called the meeting to order at 10:05 a.m.

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Aud, to approve the minutes of the Commissioners' meeting of Tuesday, November 20, 1984 as corrected (change "R-1" to AR"on page six relative to ZONE #84-0998 - Minimum Lot Size). Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) CORRESPONDENCE

The County Administrator presented the following items of correspondence for the Board's review and signature:

a) To Parris Glendening
Prince George's County Council

Expressing gratitude for his hospitality at the November 20 meeting and stating that St. Mary's County is committed to joining Prince George's, Calvert, and Charles Counties in encouraging the upgrading of Route 5. The Commissioners agreed to sign and forward said letter.

b) To Senator Simpson

Responding to tourism related issues (state visitors' center and 1985 promotional campaign). The Commissioners agreed to sign and forward said letter.

2) BUDGET AMENDMENT NO. 85-37
BOARD OF EDUCATION

The County Administrator presented the referenced Budget Amendment recommended for approval by the Budget Director with the following justification: Final billing for Project Graduation expenses incurred in May and June 1984.

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

3) ORDINANCE NO. 84-37
AMENDMENT TO ROAD ORDINANCE - CIVIL PENALTIES

Inasmuch as public hearings have been held on the adoption of proposed Amendments to the St. Mary's County Road Ordinance, the County Administrator presented the referenced Ordinance for the Commissioners' review and approval.

After discussion, Commissioner Arnold moved, seconded by Commissioner Aud, to approve and sign Ordinance No. 84-37. Motion carried.

4) GROUP HOME FOR EMOTIONALLY DISTURBED YOUTHS

The County Administrator advised that a request has been received from legislators and Dr. William Marek, Deputy Health Officer, regarding the establishment of a group home for emotionally disturbed youths to be located at Charlotte Hall. Mr. Cox reviewed a plat of the property recommended by the State and Dr. Marek which is a 2.2 acre site on Md. Rt. 6 for the placement of the residential home.

After discussion, Commissioner Aud moved, seconded by Commissioner Millison, to approve the location with the understanding that a specific proposal will be submitted before a final commitment by the County is made and that a public hearing will be conducted to explain the proposal to the citizens of the area. Motion carried.

(The following County Administrator items were brought up in the afternoon after Commissioner Millison left the meeting.)

5) JANITOR III POSITION
OFFICE OF PURCHASING AND LOGISTICS

The Commissioners discussed the Janitor III position vacated by Gregory Ridgell and authorized to be filled by the Board on September 25. After discussion, Commissioner Sayre moved, seconded by Commissioner Arnold, to appoint Rose M. Buckler to the referenced position, Grade 7, to be effective on or about December 3, 1984. Motion carried.

6) MARYLAND ASSOCIATION OF COUNTIES
LEGISLATIVE REPRESENTATIVE

The County Administrator stated that Maryland Association of Counties is requesting a representative from St. Mary's County to serve on the Legislative Committee. The Commissioners agreed to select Commissioner George Aud as the representative and Richard D. Arnold will be the alternate.

(Commissioner Millison left meeting - 10:00 a.m.)

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) AWARDING OF BID
DIESEL TRUCKS (2)

Mr. Norris presented the bid tally sheet for the purchase of two diesel trucks and recommended awarding the bid to McKay's Implement, the lowest bidder, in the amount of \$81,770.78. Commissioner Aud moved, seconded by Commissioner Sayre, to accept this recommendation. Motion carried.

2) PURCHASE OF SNOW REMOVAL EQUIPMENT

Mr. Norris recommending accepting the proposal from Fallsway for the purchase of three snow plows (\$2,096 each) and seven salt spreaders (\$1,075 each). Commissioner Aud moved, seconded by Commissioner Arnold, to accept this recommendation. Motion carried.

3) ACCEPTANCE OF DEED
HAYDEN COURT - ESPERANZA SUBDIVISION

The County Engineer presented a Deed dated November 27, 1984 by and between Robert G. Dean, Margaret G. Dean, Franklin W. Dean and Mary Gertrude Dean and the County Commissioners of St. Mary's County for the acceptance of Hayden Court in Esperanza Subdivision into the County Highway Maintenance System.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept said Deed. Motion carried.

4) PUBLIC WORKS AGREEMENT
SAN SOUCI ESTATES

The County Engineer presented a Public Works Agreement dated November 26, 1984 by and between J. Laurence Millison and St. Mary's County Commissioners for the completion of roads in San Souci Estates, Eighth Election District, by November 1, 1985. Said Agreement is backed by a Maryland Bank and Trust Letter of Credit.

Commissioner Aud moved, seconded by Commissioner Arnold, to said Public Works Agreement. Motion carried.

5) ROAD RESOLUTIONS

The County Engineer presented the following road resolutions for the Commissioners' review and approval:

- a) No. 84-23
Esperanza Farms Division - Hayden Court

Posting Hayden Court, Esperanza Farms, 8th Election District, at 25 miles per hour.

- b) No. 84-24
Esperanza Farms Subdivision

Designating the following streets as Stop Streets:
Hayden Court as it intersects with Green Holly Road.

- c) No. 84-25
County Wharf Road

Designating County Wharf Road (Rt. 392) as a Stop Street where it intersects with Fox Harbor Rd. (Rt. 391)

- d) No. 84-26
Teddy Road

Naming property at intersection of Rt. 235 with Rt. 4193 as Teddy Road.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign said Road Resolutions. Motion carried.

(Commissioner Millison returned to the meeting - 10:45 a.m.)

- 6) QUIT CLAIM DEED
ABANDONED RIGHT OF WAY
ST. ANDREWS CHURCH ROAD

Relative to a request by St. Andrews Episcopal Church, the County Engineer presented a Quit Claim Deed for the abandoned right-of-way approximately 15 feet wide from the intersection of the abandoned road on St. Andrews Church Road.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept said Quit Claim Deed. Motion carried.

- 7) ORDINANCE NO. 84-38
GOLDEN BEACH SPECIAL TAXING ORDINANCE
CATHY CIRCLE

The County Engineer presented the referenced Ordinance for the establishment of a special taxing district for the reconstruction and improvements to Cathy Circle in Golden Beach Subdivision.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve and sign said Ordinance. Motion carried.

8) HEWITT ROAD RECONSTRUCTION
PUBLIC MEETING

The County Engineer advised that there will be a public meeting on Tuesday, December 11, at 7:30 p.m. at the County Engineer's Office to review plans for the proposed reconstruction of Hewitt Road.

9) AUTHORIZATION FOR EXTRA WORK
SPRING VALLEY/LONDONTOWNE

The County Engineer presented Authorization for Extra Work No. 1 for the referenced project (No. SM 83-1-1) in the amount of \$1,000 for the placement of rip rap to prevent sedimentation and wash-out at the entrance to the storm drainage system.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve said Extra Work Order. Commissioner Millison abstained. Motion carried.

10) STREET LIGHTING POLICY

The County Engineer presented "Draft Subdivision Lighting Policies" for new and existing developments.

The County Engineer discussed with the Commissioners the locations of existing street lights at certain intersections and subdivisions. He stated that the County has been receiving numerous requests from residents of subdivisions such as Southampton, Essex South, Cedar Cove, Hollywood Shores, Piney Point, and others as to what the County is planning to do in this regard.

Mr. Norris advised that the Commissioners that the County should have the option of creating a special taxing district similar to road and shoreline improvement taxing districts which would allow for the installation and maintenance of street lights within a developed area.

After discussion, the Commissioners concurred with Mr. Norris' recommendation.

11) MD. RT. 246 IMPROVEMENTS

The County Engineer recommended to the Commissioners that the need for improvements to Md. Rt. 246 be discussed in State Highway Administration officials in Annapolis on Friday at 11:00 a.m. Commissioner Aud stated that he would attend along with Mr. Norris. Any of the other Commissioners will try to attend.

Mr. Norris suggested that the matter of the State's desire to turn Rt. 242A over to the County also be discussed at this meeting.

12) EASEMENT AGREEMENT
J. LAURENCE MILLISON

The County Engineer presented an Easement Agreement dated November 23, 1984 by and between Southern Maryland Electric, Inc. and the Board of County Commissioners and J. Laurence Millison granting ingress and egress across the railroad right-of-way in the Eighth Election District.

Commissioner Arnold moved, seconded by Commissioner Aud, to approve and sign said Easement. Commissioner Millison abstained. Motion carried.

EMERGENCY LIFE SUPPORT UNIT

Present: Dan Brown, Chief, Medic One
Gary Gardner, President, Medic One
Harry Koehler, Member, Medic One

The referenced representatives of the Emergency Life Support Unit appeared before the Board to review past programs and services, to explain plans for the future, and to express appreciation to the Board for its past support.

Mr. Brown distributed a breakdown of the total calls for 1983-1984 as well as statistics for call hours and man hours and percentage of calls with Medic One with Rescue Squads.

Mr. Gardner explained to the Board projected goals for the Emergency Life Support Unit:

1. That there eventually be a 24-hour, seven days a week emergency life support service coverage by the various rescue squads in the County (approximate 20-year projection time to accomplish this);
2. That there be permanent quarters for the Unit (hopefully by Spring);
3. To establish another Medic Unit in the County in order for a Unit to be located at each end of the County in the areas of high useage. This would be in the next 5-10 years because it would require additional CRT's in order to operate efficiently.

Mr. Brown explained that at a later date, the Unit would like the Commissioners' assistance in acquiring a new vehicle, probably in 1986. The ALS Unit would like to keep the current vehicle so that it could be used as a backup for Medic One and/or the Sheriff's Department.

The Commissioners expressed their continued support and requested that when the new vehicle is needed that enough advance notice be given so that it can be included in the budget preparation.

In closing the Commissioners commended the Advance Life Support Unit representatives for their volunteer services to the County.

PRESENTATION OF COUNTY SEAL

Present: Vicki Volk, WPTX Radio Station

The Commissioners presented a St. Mary's County Seal to Vicki Volk, a reporter for WPTX, in that she will be leaving the area.

Present EXECUTIVE SESSION

Present: John Norris, County Engineer
Edward V. Cox, County Administrator

Commissioner Aud moved, seconded by Commissioner Arnold, to meet in Executive Session in order to discuss a matter of land acquisition. The Session began at 11:30 a.m. Mr. Norris left the Session at 11:45 and the Commissioners continued in Session to discuss matters of Personnel. Paul Raley, Director, Purchasing and Logistics met in Executive Session with the Board from 12:20 p.m. to 12:40. The Session continued until 1:00 p.m.

(COMMISSIONER MILLISON LEFT MEETING - 12:30 P.M.)

OFFICE OF PLANNING & ZONING

PUBLIC HEARING

1:00 P.M.

Commissioners present: George Aud, David Sayre and Richard Arnold. Commissioners Millison and Dean were absent. Staff present included: Frank J. Gerred, Director, Robin Guyther, Planner, and Anita M. Meridith, Recording Secretary.

No public present.

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in "The Enterprise" Newspaper, a publication of county-wide circulation, providing legal notice for the following public hearing in the November 7, 1984 issue.

ZONE # 84-0839: J. L. MILLISON

Requesting rezoning of 1.07 acres from R-2, Low Density Urban Residential, to C-2, Commercial. The properties are Lots 39, 40 and 42 in Block A, Section 1, Patuxent Park Subdivision, Eighth Election District, Tax Map 43 A.

Mr. George Sparling, attorney for the applicant, came forward and entered into evidence, marked Applicant's No. 1, the postal receipts from the certified letters of notification sent to all contiguous property owners, providing legal advisement of this public hearing. Mr. Sparling affirmed that the property had been legally posted.

Addressing the Board, counsel advised that he would dispense with expert witnesses this date and would let the record stand on its own merit, proffering the same exhibits and matters of record as those used during the Planning Commission's public hearing process.

A large colored site map was displayed and used to orient the Commissioners with respect to the location of the subject site and zoning of adjacent and contiguous properties.

The request was based on "significant change in the neighborhood in that these areas which have previously been platted as residential lots with the proposed roadways, Bunker Hill Drive, Princeton Road and particularly Langley Place, that this property will now never be used for residential development and the roads intended to serve that property will never be constructed. The net effect of this is this little blue spot here (noted visually on site map) in the middle, is the subject property is still zoned residential and you can see, it's a little island now between two strips of commercially zoned property. It is surrounded in the front and to the side by existing commercial development." Mr. Sparling emphasized that the subject property was "unsuitable for residential development and in fact, the property could be hazardous because of the traffic that would be running all around the property to serve the surrounding commercial developments."

Mr. Sparling noted that the area previously defined as the neighborhood (that area shown on Tax Map 43 and 43A, including all of Map 43A to the north of Maryland State Route 246, the Patuxent Park PUD West and that area north of foregoing bounded on the north by Pegg's Road, on the east by Maryland State Route 235 and on the west by the extension of a line beginning at the southerly branch off Pegg's Road), had been accepted by the staff and the request had subsequently received favorable recommendations from both staff and the Planning Commission. Mr. Sparling

also added that another, perhaps more refined definition was that area, evidenced through shading provided on the map, given as the original Patuxent Park and Patuxent Park West developments, which would thus cause a shifting of this property from its current neighborhood into a neighborhood adjacent to the east of the subject property and bounded on the east by Maryland State Route 235 and on the west by the Old Three Notch Road and the north and south by the intersections of these two right-of-way.

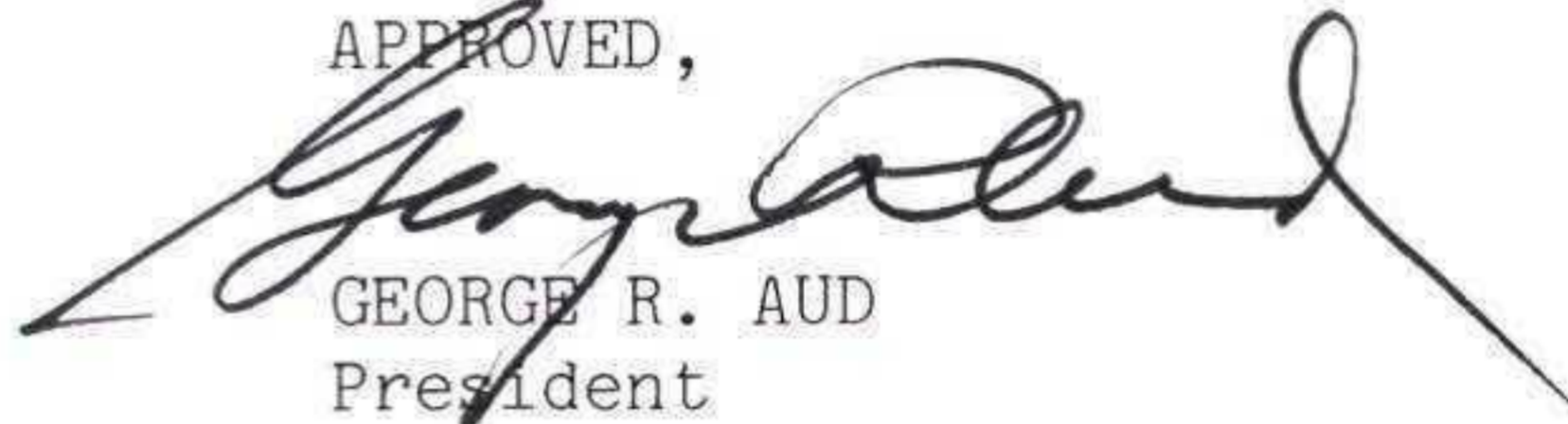
The Planning Commission record was formally entered into the record at this point.

As a matter of procedure, the Chair inquired whether anyone present wished to speak either in favor or opposed. Hearing no comment, the hearing was closed and the matter taken under advisement.

ADJOURNMENT

The meeting adjourned at 1:30 p.m.

APPROVED,

A handwritten signature in cursive script, appearing to read "George R. Aud", written over the typed name and title.

GEORGE R. AUD
President