

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, April 30, 1985

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

CALL TO ORDER

The meeting was called to order at 10:05 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, April 23, 1985. Motion carried.

APPROVAL OF BILLS

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

AMBER MEADOWS MOBILE HOME PARK
ACCESS ACROSS RAILROAD RIGHT-OF-WAY

Present: Herb Redmond, D. H. Steffens Co.

Mr. Redmond presented the site plan for Amber Meadows Mobile Home Park located in the Eighth Election District and requested approval from the Board to cross the railroad right-of-way at a right angle behind Maryland Manor and tie into existing road. Approval has been received from SMECO to do this and the project has been through the TEC process.

After discussion, Commissioner Millison moved, seconded by Commissioner Dean to approve the request and authorize Commissioner President Aud to sign the agreement, which will be brought back to the Board if it does not meet the normal standards and conditions. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) MEMORANDUM OF UNDERSTANDING
BUILDING AUTHORITY COMMISSION
STATE OFFICE BUILDING

Also Present: Joseph O'Dell, Director, Budget & Data Services

The County Administrator presented a draft of the Memorandum of Understanding by and between St. Mary's County Building Authority Commission and the State of Maryland regarding the construction of a state office building at the Governmental Center property for the Commissioners' review. He stated that the Memorandum will not be presented for approval until it has been reviewed by all appropriate parties, and permission is requested today to send it back to the Department of General Services for them to begin to circulate it among the State departments. After this has been done it will come back to the County and to the State Board of Public Works for final approval.

The Commissioners gave their concurrence to circulate the document as requested.

2) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Budget Director with justifications as indicated:

a) No. 85-80
Office on Aging

Justification: Transfer funding authority from reserve allocation to individual accounts requiring funds for period of April 1, 1985 through June 30, 1985.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve said Budget Amendment. Motion carried.

b) No. 85-81
Department of Public Works

Justification: To transfer authority from current project phases and FAA approval to funding advance of Capital Budget authority in FY '86 Budget.

Commissioner Aud moved, seconded by Commissioner Sayre, to approve said Budget Amendment. Motion carried.

3) ZONING AMENDMENT RESOLUTION NO. Z85-06
MARY W. READMOND - ZONE #83-0324

(Request to rezone approximately .926 acres of land on the site of the Montana Snack Bar, located on the east side of Md. Rt. 235, Hollywood, on both corners of the intersection with Md. Rt. 472, and according to a survey dated July 8, 1983 shown to contain 3.166 acres from R-1 to C-2, Commercial. The property is located in the 6th Election District of St. Mary's County, on Tax Map 19, Block 4, Parcel 6.)

The Commissioners having conducted a public hearing and held subsequent discussion, Commissioner Arnold moved, seconded by Commissioner Millison, to approve and sign said Zoning Amendment Resolution. Commissioner Dean abstained. The Commissioners voted 4-0-1. Motion carried.

4) ACTION
RSVP - NOTICE OF GRANT AWARD

The County Administrator presented the referenced Notification of Grant Award for the period 4-01-84 - 3-31-85 for the Office on Aging's Retired Senior Volunteer Program (RSVP) and requested authorization for Commissioner President Aud to sign same.

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

5) PERSONNEL

The County Administrator presented the following personnel items for the Commissioners' review and consideration:

a) Motor Equipment Operator III
Department of Public Works

Memorandum dated April 30, 1985 from Personnel Officer recommending that Charles Hill be reinstated to his former position of Heavy Equipment Operator III, at his former salary, Grade 8-6, effective May 6, 1985. Mr. Hill had vacated the position and later requested to be reinstated.

b) Highway Maintenance Worker
Department of Public Works

Memorandum dated April 30, 1985 from Personnel Officer recommending the appointment of Michael Benoit to the Highway Maintenance position, Grade 5, effective May 6, 1985.

6) CORRESPONDENCE TO DR. LORTON

The County Administrator presented correspondence addressed to Dr. Lorton, Superintendent of Schools, requesting information pertaining to teacher/pupil ratio.

The Commissioners agreed to sign and forward said letter.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) ROAD ORDINANCE PUBLIC HEARING

Mr. Norris recommended that because of the interest in revisions to the county road ordinance a public hearing be scheduled on May 21. The Commissioners gave their concurrence.

2) MT. PLEASANT SUBDIVISION, SECTION ONE
INTERSECTION LIGHT

Mr. Norris advised that he has received requests for an intersection light on Md. Rt. 470 in Section I of Mt. Pleasant Subdivision and recommended that the Commissioners approve this request. Authorization is needed for the President of the Board to sign the contractual documents.

The Commissioners gave their concurrence in this request.

3) TALL TIMBERS TAXING DISTRICT NO. 2

Mr. Norris stated that correspondence was received from a property owner requesting to be deleted from the Tall Timbers Taxing District No. 2. In that it is unsure at this time of the impact of the deletion of this property would have on the taxing district, Mr. Norris recommended to hold a decision on this request in abeyance until the design and estimated costs have been received.

The Commissioners gave their concurrence.

4) CORRESPONDENCE TO BOARD OF PUBLIC WORKS
CLEMENTS SANITARY LANDFILL

The County Engineer presented correspondence addressed to the State Board of Public Works certifying that all possible funding sources have been explored for the referenced project and that the award of state financial assistance will not jeopardize any additional grants.

The Commissioners authorized Commissioner President Aud to sign said letter.

5) FIFTH DISTRICT TRANSFER STATION

Mr. Norris stated that in the Capital Improvement budget for FY '86 the Fifth District Transfer Station requires no funding for design as it would be performed by his department with funding to occur in FY '87. A decision will be needed by the County Commissioners as to whether they desire the design of this project to be initiated in FY '86.

6) AUTHORIZATION FOR EXTRA WORK ORDER
ST. MARY'S COUNTY AIRPORT

Mr. Norris presented Extra Work Order No. 2 in the amount of \$3,910 for the purpose of extending grade limit in the runway safety area to eliminate hazardous conditions per FAA.

The Commissioners gave their concurrence in approving said EWO.

7) FOREST RUN SUBDIVISION - PHASE II
RELEASE OF DRAWS

Mr. Norris advised that a request has been made for the County to release Draw Nos. 1-6 for Forest Run Subdivision, as specified in the Draw Schedule.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize the release of Draw Nos. 1-6. Motion carried.

8) ACCEPTANCE OF DEEDS
WILDEWOOD SUBDIVISION

Mr. Norris presented the following Deeds for acceptance of certain roads in Wildewood Subdivision, Neighborhood Three, Cluster Two, into the County Highway Maintenance System.

- a) Deed dated April 8, 1985 by and between Paragon Builders, Inc. and St. Mary's County Commissioners for White Pine Court;
- b) Deed dated April 16, 1985 by and between Paragon Builders, Inc. and St. Mary's County Commissioners for extension of Holly Hill Lane;
- c) Deed dated April 16, 1985 by and between Paragon Builders, Inc. and St. Mary's County Commissioners for extension of Holly Hill Lane;
- d) Deed dated April 16, 1985 by and between Paragon Builders, Inc. and St. Mary's County Commissioners for the extension of Holly Hill Lane.

Commissioner Arnold moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign said Deeds. Commissioner Dean abstained. Motion carried.

9) ROAD RESOLUTIONS

Mr. Norris presented the following Road Resolutions for the Commissioners' review and approval:

a) No. 85-4

Posting Holly Hill Lane and White Pine Court located Wildewood Subdivision, Eighth Election District, at 25 miles per hour.

b) No. 85-5

Designating Kingston Creek Road as a "Stop Street" at its intersection with a privately-owned road;

c) No. 85-6

Designating White Pine Court as a "Stop" Street" as it intersects with Holly Hill Lane;

d) No. 85-12

Posting St. Andrews Landfill Road at 25 miles per hour;

e) No. 85-13

Designating Smithfield Drive as a "Stop Street" as it intersects with Bauer Road;

f) No. 85-14

Designating Rolling Court as a "Stop Street" as it intersects with Rolling Road.

Commissioner Arnold moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign said Road Resolutions. Commissioner Dean abstained. Motion carried.

OFFICE OF PLANNING AND ZONING
REZONING DECISION DISCUSSION
ZPUD 384-1307 - J. IRVING KNOTT

Present: Robin Guyther, Planner, OPZ
Anita Meridith, Recording Secretary

The full complement of the Board was present: Commissioner President George Aud, Vice-President Larry Millison and Commissioner members Ford Dean, David Sayre, and Richard Arnold.

Requesting rezoning from CP, Camper Park and AR, Agricultural-Residential, to MHP, Mobile Home Park, to permit establishment of a 700 unit mobile home park (Take-It-Easy Ranch Villages). The property contains over 200 acres and is located off Take-It-Easy Ranch Road in the Second Election District, shown on Tax Map 57, Block 6 as Parcels 10, 22 & 23.

Commissioner Arnold led the discussion, and offered as motion that because of the size and scope of this proposal, a closer examination of the development could be possible, based on a reduction in the size of the total development. Should the applicant agree to this amendment relative to the size of his proposal, Commissioner Arnold felt that it would be appropriate for the matter to be remanded back to the Planning Commission for reevaluation and study of the amended plan in order to determine whether it could be reduced in scope to satisfaction, whether it could be phased in over a period of time and whether the Comprehensive Plan should be studied with a view towards possible amendment.

Commissioner Aud concurred and seconded the motion.

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Discussion of the Board ensued. Commissioner Sayre agreed that the matter should be remanded to the Planning Commission for comment. While he did not have any specific concerns, he felt that any comment from the Planning Commission relative to reduction in the size of the operation would be beneficial as would an in-depth analysis of the total proposal.

Commissioner Dean noted that considering that this was a PUD, the County was not required to find change or mistake, but that the Commissioners must consider this from a policy standpoint and in terms of the Comprehensive Plan. He felt that the issue was not one of mobile homes but related to all types of housing, and more specifically related to whether or not the County should consider large scale housing development in rural areas. Additionally, the question of the ultimate depreciation on the capacity of the wastewater treatment system, which was specifically designed to support the growth that was programmed to occur within the urban district, should be considered. Mr. Dean stated that there was no question, but that in its present form, this proposal was contrary to the Comprehensive Plan and therefore, it would be inappropriate for a development of this magnitude to be placed in a rural area of the County. Commissioner Dean stated that he had no disagreement with the matter being rerouted back through the Planning Commission; however, he felt that the Board should provide explicit instruction to the Planning Commission in terms of what particular areas they should review and address.

Commissioner Sayre added that he felt that it would be advantageous for the Commissioners to schedule a meeting with the Metropolitan Commission sometime in the near future in order to discuss sewage capacities/allocation policies with the Board.

Commissioner Arnold reiterated that the proposal, in its present form, would require much more detail. He recognized the fact that the Planning Commission certainly had studied the proposal in detail; however, he stressed that there were many other alternatives which could be considered as opposed to an outright denial of the project. He elaborated on the need for housing in the County, especially in the low to median income range. He felt that the Commissioners were responsible to try to impose "any reasonable method" to achieve this end. He stressed that the Comprehensive Plan was not "written in stone," and review of that plan on a periodic basis was needed in order to provide flexibility in order to meet existing demands and economic trends. He cited the fact that the Comprehensive Plan had only been amended once in its eleven year existence and called attention to the enormous growth which had occurred within this area. Commissioner Arnold stressed that he was an avid protector of the rural character of the County, but at the same time, he was encumbered with the responsibility of providing certain amenities for the County's populace in terms of promoting the general welfare and provision of growth opportunities. In summation he noted that the County should not "rate it or base it, as it has been presented to us so far...when it comes back here with more information as to the sewage allotment and as to other aspects,...impact on the roads, impacts on schools...that's why I studied the feasibility of whether or not the enormity of it could be reduced."

President Aud felt that staff should solicit the Navy's input on this matter, as many of their personnel opted to live in mobile homes. He reflected that possibly the Navy might want to consider locating a mobile home on the P.N.A.S. to better serve their personnel.

For purposes of further clarification, Commissioner Dean asked Commissioner Arnold whether he agreed on the following points to be forwarded to the Planning Commission for their consideration.

1. Reevaluation of the Comprehensive Plan in order to determine whether or not said plan should be amended to allow for large scale, high density development in the rural areas of the County;
2. Whether this subject proposal could be reduced in scope;

3. Dependent on compliance with No. 2 (outlined above), phase-in of the total development;

Commissioner Arnold replied affirmatively.

The Board members concurred in referring these considerations to the Planning Commission.

The motion and second remaining on the floor, the Chair called for the vote. The motion passed unanimously. Thus, the matter will be remanded back to the Planning Commission for further analysis and consideration, as previously outlined.

RABIES CLINIC

Present: Walter Raum, Director, Environmental Hygiene

Mr. Raum stated that in that there is a positive rabies case in the County, the Health Department has set up a clinic every day from 3 p.m. - 7 p.m. at the county fairgrounds.

INNOVATIVE AND ALTERNATIVE SEWAGE DISPOSAL PROGRAM

Commissioner Dean stated that correspondence had been received indicating that grant funds are being made available state-wide for the Innovative and Alternative Sewage Disposal Program and inquired whether the County has acted on this. The County Administrator indicated that the Director of Planning and Zoning has made contact with the State Health Department expressing the County's interest.

PROCLAMATION NO. 85-23 PATUXENT RIVER DISCOVERY DAY

Present: Senator Bernie Fowler
Alfred Mattingly
Oran Wilkerson
Gay Hodge

The Commissioners presented the referenced Proclamation designating May 11, 1985 as Patuxent River Discovery Day in St. Mary's County.

PROCLAMATION NO. 85-24 FARM - CITY DAY

Present: Janice Hayden

The Commissioners presented the referenced Proclamation designating April 30, 1985 as Farm-City Day in St. Mary's County.

PROCLAMATION NO. 85-38 TEACHER DAY USA

Present: Dr. Sudha Haley
Carol Wolgglemuth
Charles Purcell

The Commissioners presented the referenced Proclamation designating April 30, 1985 as Teacher Day in St. Mary's County.

PROCLAMATION NO. 85-31
RIDE-A-BIKE FOR THE RETARDED

Present:

The Commissioners presented the referenced Proclamation designating the week of May 12-18, 1985 as Ride-A-Bike for the Retarded week in St. Mary's County.

EXECUTIVE SESSION

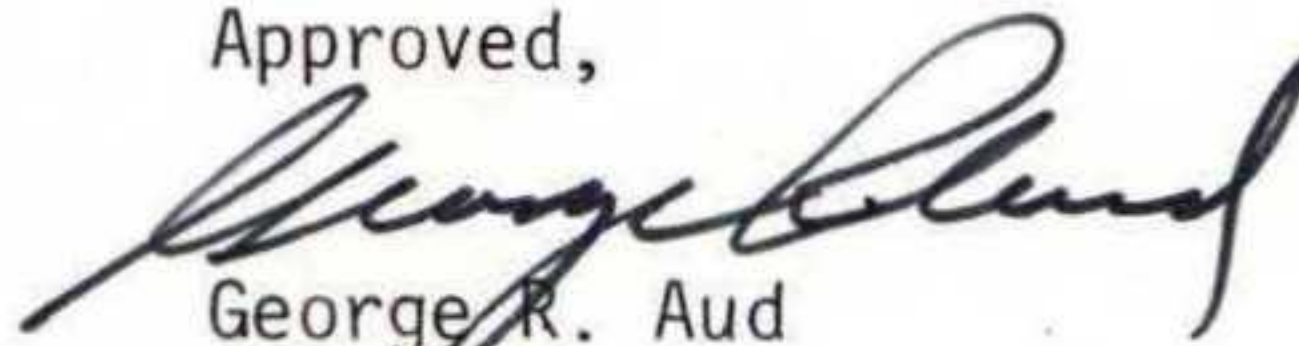
Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss matters of personnel and land acquisition. Motion carried.

Because of the impromptu visit by Senator Bernie Fowler the Commissioners did not meet in Executive Session.

ADJOURNMENT

The meeting adjourned at 12:15 p.m.

Approved,



George R. Aud
Approved,