

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, June 3, 1986

Present: Commissioner George R. Aud, President  
 Commissioner Larry Millison, Vice President  
 Commissioner Ford L. Dean  
 Commissioner David F. Sayre

(Commissioner Arnold was not present at beginning at meeting.)

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, May 27, 1986 as submitted.

APPROVAL OF BILLS

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

DEPARTMENT OF RECREATION & PARKS

Present: John Baggett, Director

1) BIDS ON SHELTER BUILDING - ST. CLEMENTS MUSEUM

Mr. Baggett advised that he solicited bids for the construction of a 480 square foot shelter building at the St. Clements Museum and only one bid was received; namely, from Administrative Contractors Enterprises, Inc. in the amount of \$36,379. Mr. Baggett stated that he felt the bid was too high and recommended rejecting the bid and rebidding the project.

Commissioner Dean moved, seconded by Commissioner Sayre, to accept Mr. Baggett's recommendation. Motion carried.

2) LEXINGTON PARK ELEMENTARY SCHOOL RECREATION ANNEX

Mr. Baggett advised the Commissioners that the Lexington Park Elementary School project had started, and therefore it was too late for the recreation annex to be a part of that project. He stated that he was going to discontinue this effort and perhaps look at other options at a later date.

3) COUNTRY WESTERN FESTIVAL

Mr. Baggett invited the Commissioners to attend the Second Annual Country Western Festival which will be held on June 7 and 8, 1986 at the County Fairgrounds.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) PERSONNEL

The County Administrator presented the following personnel items for the Board's consideration:

a) Establishment of New Position  
Community Services Coordinator

Memorandum dated June 3, 1986 from Personnel Officer requesting establishment of the Community Services Coordinator position, Grade 9, and to advertise the position, if approved.



Commissioner Dean moved, seconded by Commissioner Aud, to authorize establishment and advertisement of the Community Services Coordinator position in the Office of Community Services. Motion carried.

b) Reclassifications

Memorandum from Personnel Officer dated June 3, 1986 with reclassification requests and cost of living increases for the County Attorney and Assistant County Attorney and recommendations.

Commissioner Dean moved, seconded by Commissioner Sayre, and unanimously carried, to approve the following reclassifications:

<u>Department</u>	<u>Current Position Title and Grade</u>	<u>Approved by CCRS</u>
State's Attorney	Case Coordinator III G-8, Step 5 (F. Ballangee)	Pay Adj. to Adm. Asst. G-12
Comm. Services	Typist Clerk II G-4, Step 1 (D. Glanzer) G-5, Step 1	Promotion to Typist Clerk III
Comm. Services	Dir., OCS G-13, Step 6 (P. Barth)	Promotion to Dir., OCS, G-14, Step 4
R & P	Recreation Supervisor G-13, Step 6 (C. Clarke)	Promotion to Asst. Dir., Recreation G-14, Step 6
Office/Aging	Area Agency Director G-14, Step 6 (B. McGaharn)	Promotion to Area Agency Director G-15, Step 6
Office/Aging	In-Home Service Coord. G-5, Step 3 (B. Smith)	Pay adj. to In-Home Service Coord. G-6, Step 2
Office/Aging	Transportation Coord. G-5, Step 2 (F. Lucas)	Promotion to Trans- portation Coord. G-6, Step 2
Office/Aging	Benefits Coordinator G-5, Step 0 (A. Saunders)	Pay adj. to Benefits Coord. G-6, Step 0
Office/Aging	Information/Referral Coord. G-4, Step 3 (R. Bakewell)	Pay adj. to I/R Coord. G-6, Step 1
Social Services	Human Services Wkr, I G-7, Step 1 (P. Jarboe)	Promotion to Human Service Wkr, II G-9, Step 0
Public Works	Engineer II G-13, Step 3 (D. Ocker)	Promotion to Eng. III G-14, Step 3
Public Works	Secretary I G-6, Step 0 (M. Johnston)	Pay Adj. to Sec. II G-7, Step 0
Public Works	Typist Clerk II G-4, Step 1 S. Regel	Promotion to Typist Clerk III, G-5 Step 1



Personnel	Personnel Assistant G-7, Step 6 (E. Wood)	Promotion to Personnel Asst. G-8, Step 6
Alcoholic Bev. Bd.	Typist Clerk I G-3, Step 1 (P. Insley)	Promotion to Typist Clerk II, G4, Step 1
DECD	Secretary I G-6, Step 2 (M. Langley)	Promotion to Sec. II, G-7, Step 2
Civil Defense	Animal Warden II G-8, Step 6 (W. Delozier)	Promotion to Animal Warden II G-9, Step 6 (40 hr. work week)
Civil Defense	Chief, Central Communications Operator, G-9, Step 6 (W. Downs)	Promotion to Chief Cent. Comm Opr. G-10, Step 6
Civil Defense	Central Comm. Oper. G- 8 (Duke, Hayden, Pilkerton, Wood)	Promotion to Central Comm. Oper. G-9 G-9
Civil Defense	Central Comm. Oper. G-7	Promotion to Central Comm. Oper.
County Attorney	County Attorney \$15,600 (PT) (T. Weiner)	
	Asst. County Attorney \$31,200 (J. Densford)	

2) SHERIFF'S DEPARTMENT  
TRUST EXECUTION

The County Administrator advised that the Sheriff's Department Pension Plan documents were approved on May 13; however, the Trust Execution document was not signed at that time. Therefore, Commissioner Millison moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Trust Execution document. Motion carried.

3) BOARD OF TRUSTEES  
SHERIFF'S DEPARTMENT PENSION PLAN

Commissioner Dean moved, seconded by Commissioner Aud, and unanimously carried, to make the following appointments to the Board of Trustees Sheriff's Department Pension Plan:

Edward V. Cox, County Administrator  
Joseph P. O'Dell, Director, Budget & Data Services  
Corporal James K. Raley, Sheriff's Department  
Corporal John G. Copado, Sheriff's Department  
Jerry M. Colvin, Jr.

4) REQUEST FOR OVERTIME PAYMENT  
RECREATION AND PARKS

The County Administrator presented correspondence from the Director of Recreation and Parks requesting a waiver of the overtime policy in the Manual of Personnel Policies and Procedures. That policy requires that time worked beyond the normal work week is compensated by compensatory time up to 40 hours and overtime beyond 40 hours. In this case Mr. Baggett is requesting that these 35½ hour employees be paid overtime for all hours worked beyond 35½ for work done at the Second District Park tennis courts, in that they contributed their work hours on the weekend and saved the County considerable amount of money.



Commissioner Millison moved, seconded by Commissioner Sayre, to grant this request. Motion carried.

(COMMISSIONER ARNOLD ENTERED MEETING - 9:40 a.m.)

5) BUDGET AMENDMENT  
STATE'S ATTORNEY'S OFFICE

The County Administrator presented the referenced Budget Amendment recommended for approval by the Budget Director with the following justification: Witness fee involving Williams case.

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

6) CLEARINGHOUSE PROJECT NO. MD 860430-0337  
TOWN OF LEONARDTOWN  
CDBG REVITALIZATION:  
ECONOMIC DEVELOPMENT HOUSING AND IMPROVEMENTS

The County Administrator presented the referenced project and recommended forwarding it to the State with the comment that it is consistent with this agency's plans, programs and objectives.

The Commissioners gave their concurrence.

EMERGENCY RESPONSE PLAN  
CALVERT CLIFFS NUCLEAR PLANT

Present: Thomas E. Forgette, BG&E  
Gregory C. Rudigier, BG&E  
Tom Oliver, Director, EOC

The above individuals appeared before the Commissioners to review and present an update of the Emergency Response Plan for Calvert Cliffs. Areas of discussion included levels of exposure and risks to workers and community in the event of a radiological emergency, effects of exposure, preparations for emergencies, accident assessment, notification and communication to officials and general public.

Mr. Forgette and Mr. Rudigier went on to explain the safety factors of Calvert Cliffs and that at one Rem of exposure certain protective actions are taken. Mr. Forgette indicated that he could not foresee a risk to the public from this facility.

Discussion ensued with regard to public awareness and education and practice drills in the event of a radiological emergency at Calvert Cliffs.

In conclusion, the Commissioners thanked the representatives for their presentation and offered their cooperation.

PROCLAMATION  
FLAG DAY

Present: James Weber  
David Jenny

The Commissioners presented the referenced Proclamation designating June 14, 1986 as Flag Day in St. Mary's County.

In addition, Mr. Weber presented correspondence for the Commissioners' signatures addressed to the President of the United States requesting that he lead the Pledge of Allegiance at 7:00 p.m. on June 14. The Commissioners agreed to sign and forward the letter.



DEPARTMENT OF PUBLIC WORKS

Present: John B. Norris, Director

1) ISLAND CREEK FEDERAL NAVIGATION PROJECT

Mr. Norris presented correspondence to the Army Corps of Engineers making formal application for a study of constructing a stone jetty at the entrance channel to Island Creek.

Commissioner Millison moved, seconded by Commissioner Sayre, to sign and forward said letter.

2) ST. MARY'S COUNTY AIRPORT  
FIVE-YEAR DEVELOPMENT PROGRAM

Mr. Norris presented a response to FAA's correspondence of May 15, 1986 wherein the County was requested to review the Five-Year Development Program at the Airport. The response stated that the Program closely aligns with what St. Mary's wishes to accomplish at the Airport. The Commissioners agreed to sign and forward said letter.

3) ADDENDUMS TO PUBLIC WORKS AGREEMENTS  
WILDEWOOD, NEIGHBORHOOD II, CLUSTER III

Mr. Norris presented the following Addendums to Public Works Agreements for the Commissioners' approval:

a) By and between Paragon Builders, Inc. extending the deadline for completion of Scotch Pine Court to August 1, 1986, with Letter of Credit in the amount of \$10,125.

b) By and between Paragon Builders, Inc. extending the deadline for completion of Wildewood Parkway to August 1, 1986, with Letter of Credit in the amount of \$15,000.

c) By and between Paragon Builders, Inc. extending the deadline for completion of Wildewood Boulevard to August 1, 1986, with Letter of Credit in the amount of \$36,000.

Commissioner Millison moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the referenced Addendums. Motion carried.

4) EXXON OVERCHARGE REFUND

Mr. Norris advised that he has been working with Tri-County Council in trying to get a substantial portion of the Exxon Overcharge Funds, which total \$36.4 Million for the construction of a high temperature incineration facility for the tri-county region. Authorization is needed to expend up to \$5,000 for the consulting engineer working on the solid waste plans and update to prepare preliminary data to support the grant request.

Commissioner Arnold moved, seconded by Commissioner Sayre, to grant this request. Motion carried.

5) LONGVIEW BEACH  
SPECIAL TAXING DISTRICT

Mr. Norris advised that there will be a meeting on June 14 at Longview Beach concerning the establishment of a special taxing district for road improvements.



6) INDIAN BRIDGE ROAD RECONSTRUCTION

Mr. Norris advised that the design has been completed for the referenced project and land that is needed is owned by the State of Maryland as part of the Watershed Project. Mr. Norris requested authorization for the President of the Board to sign the plan and to authorize him to request the State for donation of approximately 1/2 acre of land for the 40 foot right-of-way on Indian Bridge Road.

Commissioner Dean moved, seconded by Commissioner Millison, to authorize Commissioner President Aud to sign the plan and to allow Mr. Norris to contact the State. Motion carried.

7) VANDALISM AT ST. ANDREWS LANDFILL

Mr. Norris informed the Commissioners that approximately \$3,000 worth of damage has been done to equipment at St. Andrews Landfill through vandalism.

8) ROADSIDE GRASS CUTTING

Mr. Norris requested the Board's assistance in informing the community that his department is working as hard as possible in getting the grass cutting done along the roadside. He stated that his crew is making every working extra hours to get the work done; however, there are only three tractor mowers to do the work.

DISCUSSION/DECISIONS

SPEC #85-1551: REGULATIONS FOR MINOR SUBDIVISIONS

SPEC #85-1095: DESIGN STANDARDS

Commissioners present: George Aud, Ford Dean, David Sayre, and Richard Arnold. Commissioner Larry Millison did not participate. Staff present included: Frank J. Gerred, Director, Robin Guyther, Planner, and Anita M. Meridith, Recording Secretary.

SPEC # 85-1551: REGULATIONS FOR MINOR SUBDIVISIONS

Changes are proposed to the St. Mary's County Zoning Ordinance and Subdivision Regulations regarding the definitions and/or regulations of: "Farmsteads", "Access" Points, "Parcels of Record", "Minor Subdivisions" and "Roadway Standards".

Mr. Guyther briefed the Commissioners on the history of the initiating factors behind the formulation of the Minor Subdivision Review Committee and the development of the proposed amended regulations.

Staff referenced a booklet previously distributed to the Commissioners which contained pertinent information: recommended Minor Subdivision Procedures/Recommendations, minutes from the public hearings held by the Planning Commission and Board of County Commissioners and several letters received into evidence following the Commissioners' public hearing of April 1, 1986.

The committee researched the existing regulations and identified several areas of concern. The first involved the sale of a fifteen acre "farmstead" without any required approvals by the Planning Commission or knowledge of the Planning and Zoning Office and the second pertained to the number of allowable subdivision lots. Several recommendations were subsequently formulated by the committee and included:

(a.) The farmstead should no longer be exempt from the Subdivision Regulations. - They would be counted as any other one acre lot;

(b.) There shall be as few access points as possible from a public road to any property being subdivided under the minor subdivisions. - This was designated to eliminate individual driveways for each lot on public roads, to cluster them on one road, where possible or have combined driveways.



(c.) For purposes of defining parcels of record, only County and State road rights-of-way which existed on March 15, 1978, shall be considered as parcel dividers. - Staff explained that problems arose where interpretation of "parcel dividers" by some individuals were stretched to include such things as utility corridors, Metropolitan Commission rights-of-way, etc. Thus, the committee recommended that only State and County road rights-of-way be considered parcel dividers for the purposes of defining the number of minor subdivision lots.

The next most controversial issue related to the Roadway Standards. Mr. Guyther stated that the committee agreed that everyone should have the right to develop 8 lots on their property without having to construct new public roads. They further interpreted that to mean that one could use existing public roads or develop private roads, however, in either case, you were limited to development of not more than 8, unless, public streets were constructed. Based on that premise, the following Roadway Standards were developed:

1. 1 to 4 lots. No change to the existing procedures, except that the right-of-way requirement would be reduced from 50 ft. to 20 ft. Or, the maximum 4 lots could be served by a public road, e.g. two combined driveways to serve the 4 lots.

2. 5 to 8 lots. The committee agreed that development beyond four lots changed the flavor of the "family minor subdivision" and was more in keeping with residential development. As the major problem identified with this degree of subdivision ultimately surrounds the road issue, the committee felt that there should be some assurance that the road that would be designated could actually be constructed and thus, they felt that the road be engineered to a R-1 Road Standard which would require a 40 ft. right-of-way, inclusion of proper drainage, slopes and ditches. The road would have to be engineered to this standard, not necessarily built to that standard.

Mr. Guyther recalled former conversation with the Commissioners relative to the installation of public utilities (electric and telephone) by the applicant. Via conversation with the Commissioners it was suggested that the developer or land owner be required to install those utilities or enter into agreement with the electric/phone company for installation of the lines.

Received within the ten day period extended from the closing of the Commissioners public hearing, staff identified the following correspondence from various individuals offering further suggestion for the Commissioners' consideration:

Francis K. Abell, Jr., Branch Manager for McCrone, Inc., offered the following proposal as a method of permitting quick legal conveyances/transfer of title, i.e. to revise the farmstead definition to require the signature of Planning and Zoning prior to recordation, eliminate farmsteads and introduce the definition of Agricultural Division to the Zoning Ordinance (definitions provided). Mr. Abell felt that this would provide the County with the control that was currently lacking insofar as monitoring the number of parcels on private roads.

Correspondence from Mr. Herbert N. Redmond, Jr., Vice-President of the D. H. Steffen Company, offered example of an existing situation and how the proposed regulations, if adopted, would impact that property. Mr. Redmond's correspondence provided a series of recommendations which he asked that the Board consider in their deliberations.

Correspondence from Mr. James L. Dunlop, Professional Land Surveyor, agreed with the need to upgrade the existing standards, however, he objected to the proposed engineering for the road for the 5 to 8 lot subdivision.



Mr. Guyther urged that the major reason for development of the R-1 Standard was to provide assurance that if sometime in the future, a particular area opted to go into a Special Taxing District, that the road would be engineered properly, having been graded, with installation of the proper drains, slopes, thus assuring that the road could be properly constructed to County standards without major reconstruction.

Commissioner Dean advised that having served on the committee that was appointed to develop these proposed regulations and having also been involved with the creation of the Minor Subdivision and Private Road Provisions of the County's Subdivision Regulations in '78, he felt that there was no question but that certain revisions of those existing regulations were in order. He felt that the concept of having two classes of minor subdivisions was good as it would retain the regulations currently in effect for that individual who may want to convey several lots to their children with only a minimum of regulation but would also address, and hopefully correct, some of the problems occurring with the larger residential development for 5 to 8 parcels, e.g. impact upon the "unknowing consumer" resulting from the lack of a proper road maintenance agreement. Additionally, Commissioner Dean felt that it was unfair to require that the first purchaser incur the expense of installation of the utilities. He felt that if a developer were in the business to sell lots, that it would only seem logical that part of that development cost should be the provision of the utilities.

Commissioner Dean addressed other concerns and offered recommendation that the roads in minor subdivisions (5 to 8 lots) should be built to a specific minimum gravel standard, as this again, impacted the consumer. He explained that most lenders were now requiring, as a minimum, that the street serving the lot be an "all weather surface road", further defined as a street constructed of bank run gravel. Another issue discussed in committee, by the Planning Commission and addressed in Mr. Redmond's letter, addressed the question of whether or not the lots fronting on an existing public road would be counted against the total minor subdivision allowance. Mr. Dean felt that the County should interpret that if an individual had a parcel of record which fronted on an existing public road, that subdivision of lots along that road would be permitted, those lots not being subtracted from the right that was also attached to that land to create one minor subdivision with no more than 7 lots and remainder, served by a private road. Mr. Guyther responded that one of the discussions recently held with the Planning Commission identified this problem in that through streets and traveled streets were becoming residential streets (e.g. Hampton Run Road). Commissioner Aud suggested that perhaps the County should consider requiring a wider set-back. Commissioner Dean felt that it simply was not feasible, considering certain existing situations, to require a blanket regulation and he urged that the County should give some thought to developing classes of roads. Mr. Aud reflected that the Critical Areas Criteria would control a large portion of development in the County and would impact the number of lots that would be created. Mr. Guyther wished to make it perfectly clear that the Planning Commission's proposal was to restrict development to a total of seven lots plus the residue, irregardless of whether the property was located on public road frontage or private road; development of that ninth lot would require development of a public road.

Commissioner Arnold recognized Mr. Herbert Redmond this date and asked for his professional opinion with regard to the proposals before the Board. Mr. Redmond advised that his major concerns were identified and addressed in his previously referenced letter, however, he urged that in those typical "farm situations" the right-of-way should not be taken from those individuals to be able to front on that road. Mr. Redmond was very emphatic, stating, "That classification should be left as it is and do not change that. The proposal that the committee set forth, approving the roads and once you get beyond a certain amount of lots, I agree with that, but I think you're doing injustice to the property owner. And as I've stated in this letter, you're taking away the rights of these people to sell off a lot on that road, and to me, that's not right...there are a lot of people that are going to be very disgusted, not only hurt financially, but are going to be disgusted with this decision, because that is a major decision."



Commissioner Dean suggested that the staff commit to one document for consideration by the Board sometime within the next several weeks and he identified the following points for further consideration at that time:

1. Creation of two classes of minor subdivisions, as recommended by the committee. 1 - 4 lots would require a 20 ft. right-of-way (reduction) with no standard of construction. 5 - 8 lots would require engineering, etc., as previously set forth in the staff's recommendation.

2. Consideration of a minimum gravel standard (6 inches of compacted gravel).

3. Requirement for a Road Maintenance Agreement for both classes of subdivisions. Said agreement to address all points; acceptable to federal agencies, i.e. FHA, VA and other conventional lenders. Said agreement to be recorded with the subdivision plat so as to alert all buyers and successors.

4. That the developer be required to install the utilities - (electric and telephone service lines).

5. Utilize existing classification of roads/streets and develop a policy which would allow development of lots along certain classifications which would not count against the minor subdivision lots.

Discussion of the farmstead issue ensued and Commissioner Dean felt that a farmstead should count against the allotment, in terms of the number of lots that could be served by a private road. Mr. Guyther agreed that the major concern related to the loading of the roads and the urgency to get some handle on the number of lots being divided off. Staff commented that Mr. Abell's suggestion that the Zoning Administrator be required to stamp all deeds prior to recordation of these farmstead was an ideal solution to this problem. Thus, the following was added to the list for further consideration by the Board of Commissioners:

6. The farmstead would be continued to be allowed, with the following requirements:

- a. That the farmstead be filed and approved (stamped) by the Office of Planning and Zoning prior to recordation of the deed.
- b. If the farmstead is served by a private road, that it be subject to the same road requirements as any other minor/major subdivision.

Mr. Oliver Guyther, Esq. asked for the Board's indulgence in order that he might offer further suggestions for their consideration. Mr. Guyther asked that the proposed revisions require the following as to the creation of farmsteads:

1. Not less than 15 acres.
2. That the deed cannot be recorded until such time that a copy had been left with the Office of Planning and Zoning and official OPZ stamp affixed on the original copy.
3. To implement policy with the Clerk of the Court that absolutely no farmsteads are to be recorded until it bears the official OPZ stamp.
4. Only if a covenant is attached to the deed restricting any future subdivision, said farmstead would not be counted as a lot against the permitted minor subdivision.



Mr. Gerred urged that the the last proposal simply was not feasible, as one of the major problems caused by farmsteads was the "loading of the roads" and that technically, under Mr. Guyther's proposal, an individual could create twenty farmsteads which would dramatically burden the road. Mr. Guyther responded that this was assuming that all twenty farmsteads fronted on or were served by a minor subdivision road. However, he urged that if each farmstead had its own private right-of-way, then this would not impact the road and should be considered under his proposal (would not count as a lot for minor subdivision purposes).

Mr. Oliver Guyther submitted for the Commissioners consideration a document which he felt was an excellent model road agreement.

Mr. Redmond referenced the fact that the Planning Commission had recently been involved in discussions relative to the problem of large properties being sold off/divided without any documentation being forwarded through the planning department. Staff acknowledged that while this was a real concern, the OPZ certainly did not want the responsibility of reviewing every deed. Mr. Robin Guyther advised that he was amenable to discussing this problem with the Clerk of the Court. Mr. Redmond added that he would be more than willing to participate in this meeting and urged that while he did not particularly want to form a separate committee, he felt that this was the appropriate time to try to resolve the problem. Mr. Redmond suggested that it might be advisable to have an attorney participate in this session.

SPEC # 85-1095: DESIGN STANDARDS FOR NEW DEVELOPMENT

The proposed changes to the St. Mary's County Zoning Ordinance will prohibit building within 25 feet of any water course and will establish a buffer area around all water courses in which impervious areas will be limited to ten percent (10%).

Mr. Robin Guyther advised that the Design Standards were developed out of the Patuxent River Policy Plan. Throughout the course of formulation of these criteria, it became increasing clear that it would be beneficial to apply these County-wide. Staff briefly explained that these standards established a 25 ft. buffer from streams or any water courses in which any building would be restricted and an additional 150 ft. buffer where only 10% impervious area could be covered. Staff recalled that former presentation had included various charts which offered graphic presentation of typical developments within these buffers.

Again, staff emphasized, that these proposed criteria would only apply to new lots/development, not existing properties.

The Planning Commission recommended that these standards be adopted County-wide. The 25 ft. set-back would not apply to piers, bulkheads or small shed, only to main structures. The 150 ft. buffer would apply to paved parking areas and major construction.

Commissioner Dean was not clear as to where the point of measurement began for the set-backs with regard to non-tidal streams. Mr. Guyther explained that streams had been defined and that this proposal directly related to tidal creeks, steeply graded upland drainage. Mr. Guyther added that the former section which would have prohibited mass grading had been eliminated.

Mr. John Norris, Director of Public Works advised that he was not familiar with the document and asked for several weeks to review the text. He felt that the original text prohibited some of the types of development which were currently occurring in certain areas of the County. Mr. Gerred added that the document did contain a provision for an engineering solution in terms of run-off and water quality standards, providing alternative measures if other designs were implemented. He urged that this provision was set up to allow the land to take the stormwater run-off in a natural manner so as not to denigrate the water quality as a direct result of development.



The Commissioners concurred that this matter would be placed on the agenda in two weeks for further consideration.

#### STORMWATER MANAGEMENT

Mr. Guyther briefed the Commissioners on the Stormwater Management Grant Application for next years stormwater management grant activities. Last year, the grant approved an engineer in the Department of Public Works and an engineer and inspector for the Office of Planning and Zoning. The State having evaluated the program has determined that additional inspections were indicated. Last years grant included a request for two engineers and one inspector. This years request includes request for two engineers and two and one-quarter inspectors. Mr. Guyther noted that the County funded inspector was currently spending 40% of his time doing stormwater management inspections and based on that data, the County was asking that the State pay for 40% of his time.

Several years ago, the State took back the responsibility of sediment control from the county, employing their own personnel toward that end. Mr. Guyther advised that those inspections were geared towards the larger sites (industrial, commercial, road construction) and that the State was not providing sediment control inspection on residential sites. Mr. Guyther urged that since the County inspectors did not have the authority to conduct those types of inspections, they currently notify the State inspector if there is a sediment control problem occurring on a residential site and hope that the inspection will occur within a timely fashion, which oftentimes does not happen. Thus, the State is being requested to fund an additional inspector to do sediment control inspections and enforcement for single family residences. Additionally, the Department of Public Works has requested a vehicle for their public works inspector (monies included in the grant request).

Having presented the background, Mr. Guyther presented a letter having been prepared for the Commissioners' signature.

Commissioner Dean moved, seconded by Commissioner Arnold and unanimously passed, to authorize the President of the Board of County Commissioners to sign the letter and grant application.

#### UP-DATE ON COMPREHENSIVE PLAN

Mr. Gerred advised that of the ten responses received, those proposals were narrowed to five, which were interviewed, and more recently a single firm selected. Negotiations are now in the process towards reaching an understanding in terms of final scope and price and a presentation will be made to the Board within the next several weeks.

#### RETIREMENT FROM HOLLYWOOD RESCUE SQUAD

Present: Charles Mace

The Commissioners presented a check to Charles Mace upon his retirement from the Hollywood Rescue Squad.

#### COMMENDATION CHRIST EPISCOPAL CHURCH

Present: Herb Redmond  
Keith Loker

The Commissioners presented a Commendation to the referenced individuals on the occasion of the 250th Anniversary of Christ Episcopal Church.

#### ACCEPTANCE OF DEED MASONIC LODGE/HOLLYWOOD ELEMENTARY SCHOOL

Commissioner Dean advised that the Masonic Lodge in Hollywood has requested acquisition of a triangular piece of property between the lodge and Hollywood School in order to square up their property. The Board of Education has indicated concurrence in conveying in the land to the Masonic Lodge.



After discussion, Commissioner Aud moved, seconded by Commissioner Millison, to accept the Deed from the Board of Education and by separate Deed convey the land to the Hollywood Masonic Lodge, and further to authorize Commissioner President Aud to sign the Deed. Motion carried.

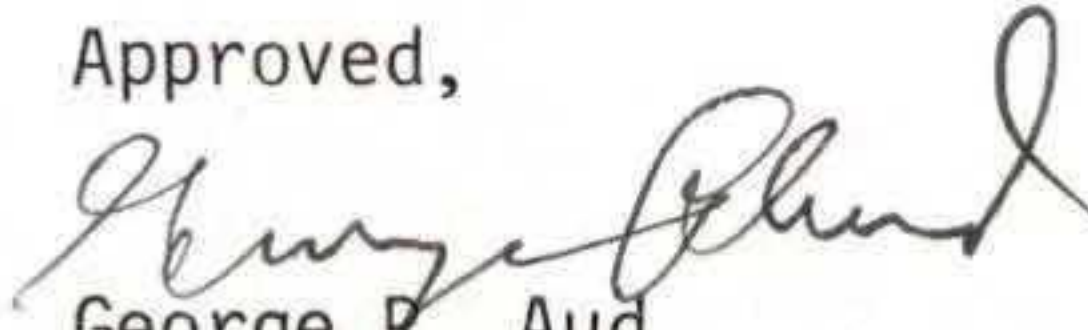
EXECUTIVE SESSION

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session on a matter of personnel. Motion carried. The Session was held from 12:20 p.m. to 1:00 p.m.

ADJOURNMENT

The meeting adjourned at 1:00 p.m.

Approved,



George R. Aud  
President