

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
NOVEMBER 22, 1994**

Present: Commissioner Barbara R. Thompson, Vice-President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Edward V. Cox, County Administrator
Judith A. Spalding, Recording Secretary

(Commissioner President Loffler was not present, therefore, Commissioner Thompson presided over the meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, November 15, 1994. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR

Present: Edward V. Cox, County Administrator

- 1) **Resolution No. 94-25**
St. Andrews Landfill - Use of 1988 Bond Proceeds

Resolution No. 94-26
St. Andrews Landfill - Use of 1990 Bond Proceeds

Also Present: Charles Wade, Director of Finance

Mr. Wade presented the following Resolutions relative to the use of bond proceeds:

No. 94- 25

St. Andrews Landfill

Supplementing the Resolution of the County adopted on October 11, 1988 authorizing the issues of General Obligation Bonds of the county by designating \$1,819 from the proceeds of the sale of the Bonds to be used to finance the St. Andrews Landfill.

No. 94- 26

St. Andrews Landfill

Supplementing the Resolution of the County adopted on December 13, 1990 authorizing the issues of General Obligation Bonds of the county by designating \$907 from the proceeds of the sale of the Bonds to be used to finance the St. Andrews Landfill.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and sign the referenced Resolutions as presented. Motion carried.

2) **Eagle Scout Awards**

The County Administrator presented letters addressed to Kevin Conlon and Darryll Grimes congratulating them upon receiving the rank of Eagle Scout.

The Commissioners agreed to sign and forward the letters as presented.

3) **Sewage Sludge Permit Application**

The County Administrator presented the standard correspondence addressed to the Maryland Department of Environment waiving the County's right for a public hearing/meeting on the sewage sludge utilization permit applications for the Benedict E. Tennyson farm in Scotland as contained in November 15 correspondence from MDE. The letter reiterates the Commissioners' ongoing concerns over environmental safety and land records notification.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to sign and forward the letter as presented. Motion carried three to one with Commissioner Jarboe voting against.

4) **Friends of the Museum Property
Release of Mortgage/Deeds**

**Henderson Park Property
Confirmatory Deed**

Also Present: Phil Rollins, Director, Recreation and Parks
Linda Wright, County Attorney's Office

As a follow up to previous discussions the County Administrator presented the following documents:

- Release of Mortgage between Board of County Commissioners of St. Mary's County and the Friends of the St. Clements Island Museum, Inc. wherein the County Commissioners release to the Friends Lots 1, 2, 3, 4, 5, 6, 7, 37, 38, 39, 40, 41, 42, 43, and 44, Block Ten of Point Blackistone, Seventh Election District.
- Deed dated November 22, 1994 in the amount of \$25,000 between the Friends of the St. Clements Island Museum, Inc. and the Board of County Commissioners of St. Mary's County conveying to the County property adjacent to the St. Clements Island Museum.
- Deed dated November 22, 1994 in the amount of \$85,000 between the Friends of the St. Clements Island Museum, Inc. and the Board of County Commissioners of St. Mary's County conveying to the County property adjacent to the St. Clements Island Museum.
- Confirmatory Deed dated November 22, 1994 between Board of County Commissioners of St. Mary's County, Maryland and the Board of Education of St. Mary's County in which the County conveys to the Board of Education the Henderson Park property adjacent to Great Mills High School and which removes the restrictive covenants imposed on the property as a result of funding from the Land and Water Conservation Fund and Maryland's Program Open Space.

5) Personnel

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

Willenborg Grievance Response

Correspondence addressed to Richard Fritz advising that the Commissioners have reviewed his November 1 letter and indicating that the Personnel Office has been directed to proceed with a Formal Grievance Review Board.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign and forward the correspondence as presented. Motion carried.

Department of Public Works

Memorandum dated November 21 from the Personnel Officer requesting approval to reclassify the two Draftsman, Grade 13, positions in the Department of Public Works, to Engineer Technician, Grade 16, positions. A review of the positions indicated that the duties being performed by the current Draftsman are Engineer Technician duties.

The Commissioners agreed to defer a decision until next week.

Workers' Compensation Leave

Memorandum dated November 14 requesting an additional two weeks of Workers' Compensation Leave as a waiver to the Personnel Manual's limiting of Workers' Compensation Leave to eight weeks for Deputy First Class Robert Wayne Delozier.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the waiver to the Personnel Manual as requested. Motion carried.

6) Council on Adolescent Pregnancy and Parenting Grant Application

On behalf of the Office of Community Services, the County Administrator presented the referenced 1994 - 1995 Council on Adolescent Pregnancy and Parenting Incentive Grant Application in the amount of \$2,000.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Vice President Thompson to sign the Grant Application as presented. Motion carried.

8) Pending Item List

As a follow up to last week's discussion the County Administrator re-presented the Pending Item List for the Commissioners' review. The Commissioners agreed to defer decisions on the following items to the new Board of County Commissioners: Determination of Habitability (to be handled on a case-by-case basis); Hanover Run Development; Wildland Designations; Development Oversight (Streamlining) Committee; Civic Center at St. Mary's College; Space Needs Study - Task Force Recommendations.

**9) Local Government Insurance Trust
Skydiving Suit**

The County Administrator presented correspondence dated November 10 from the Local Government Insurance Trust setting forth a Statement of Conditions that the Trust would assume in the defense of the Skydiving Center's suit against the County. The County Attorney and staff have reviewed the letter and recommend the Commissioners' acceptance of the terms and conditions.

County Administrator Cox pointed out that negotiations are currently under way with the county Attorney and the Attorney for LGIT that would allow Mr. Chen (Attorney from LGIT) to use Piper & Marbury as well as the consultant who assisted with the development of the Airport Rules, in this legal matter. A determination regarding this will be made in the next couple of weeks.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign the letter accepting the Terms and Conditions. Motion carried.

Later in the meeting the County Administrator advised that County Attorney Densford recommended an additional paragraph which would protect the County from the Trust incurring additional costs that would be incumbent upon the County to pay.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the insertion of the additional paragraph as referenced. Motion carried.

10) **Budget Amendments**

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

No. 95-12

Department of Public Works

Justification: to provide funds needed for advertisement of engineer positions (\$1,000)

No. 94-13

Legal Department

To provide additional funding for legal defense (\$50,000)

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and to authorize Commissioner Vice-President Thompson to sign the Budget Amendments as presented. Motion carried.

**EMERGENCY MANAGEMENT AGENCY
HAZARD MITIGATION PLAN**

Present: Paul Wible, Director

As a follow up to previous discussion Mr. Wible presented the Hazard Mitigation Plan for the Commissioners' approval. He advised that the Robert T. Stafford Disaster Relief Emergency Assistance Act, P. L. 100-707, Section 409, offers mitigation funding to state and local governments in the aftermath of significant disasters as declared by the President.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign the Hazard Mitigation Plan as presented. Motion carried.

**911 ADDRESSING TASK FORCE RECOMMENDATIONS
ROAD NAME CHANGES
THIRD AND SIXTH ELECTION DISTRICTS AND
FOURTH, FIFTH, AND SEVENTH ELECTION DISTRICTS**

Present: Paul Wible, Chair, 911 Task Force
Connie Johnson, Addressing Technician

The Commissioners conducted a public hearing on the renaming of roads in the Third and Sixth Election Districts on September 27 and the Fourth, Fifth and Seventh Districts on October 25 as they appear on the Official Road Name List:

Recommendations from the Task Force and actions taken by the County Commissioners are as follows:

Third and Sixth Election Districts

1. **"A" Court (Port Court) (County Road 30847) off Port Place in Society Hill -**
Recommendation: Port View Circle

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

2. **Abell's Drive (County Road 31074) in Abell's Run**
Recommendation: Abell's Run Drive

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

3. **a) Alvey Lane in Hillville**
b) Copsey Lane in Oraville
c) Dr. Patrick Road in Hollywood
d) East Ridge Court in Chestnut Ridge
e) River Drive in Chapplears

Recommendation: Delete (a) through (d) and River Drive to remain

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

4. **Beechwood Drive in Burnt Mill**
Recommendation: Beechwood Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

5. **Blackistone Road (County Road 30200) off of Blackistone Road**
Blackistone Road (East) (County Road 30199) off of Blackistone Road
Blackistone Road (County Road 30197)

Recommendation: Rename #30200 to Blackistone Circle
Rename #30199 to Nats Creek Road as petitioned
#30197 to remain

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

6. **Bogie's Hill in Medley's Neck**
Greenwells Hill in Medley's Neck

Recommendation: Rename Bogie's Hill to Bogie's Lane
Rename Greenwells Hill to Greenwells Hill Lane

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

7. **Buck Stone Road (County Road 30907) off of Clarke's Landing Road**
Recommendation: Lucky Lane

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

8. **Cecil Lane off Joy Chapel Road**
Recommendation: Caterpillar Lane

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

9. **Cedar Lane Road (County Road 30223) off of Cedar Lane Road**
Recommendation: Cedar Lane Court

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

10. **Cherri Lane (County Road 30642) off of Joy Chapel Road**
Recommendation: Rename #30642 to Joy Chapel Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

11. **Clark's Landing Road (County Road 30198) off of Clarke's Landing Road**
Recommendation: Clarkes Landing Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

12. **Coles Court in Hollywood Shores**
Recommendation: Coles Landing Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

13. **Commerce Avenue East (County Road 30735) off of Airport View Drive**
Commerce Avenue West (County Road 30734) off of Airport View Drive
Recommendation: Rename #30735 to Cable Road
Rename #30734 to Commerce Avenue

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

14. **Dave Stauffer Road (Private Road 4056) in Loveville**
Recommendation: Brubacher Lane

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

15. **Deerfields Lane in September Point**
Recommendation: Sinclair Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

16 **Dillow Court in Hollywood**

Recommendation: Dillow Pond Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

17 **Drury Lane in Hunters Retreat**

Recommendation: Swan Creek Drive

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

18 a) **East Keyway (County Road 30672) off Key Way**

b) **Key Way in Leonardtown**

c) **West Key Way in Leonardtown**

Recommendation: Combine (a) and (b) and name as Camalier Drive
Rename (c) as Key Way

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

19 a) **East Ridge Court in Valli View**

b) **West Ridge Court in Valli View**

Recommendation: Rename (a) to Rocky Ridge Court
Rename (b) to Gunnells Way

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

20 **Eldon Lane in Leonardtown**

Recommendation: Eldon Court

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

21 **Grays Road in Hillville**

Recommendation: Grayhound Lane.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

22 **Guyther Lane (Private Road 4131) in Medley's Neck**

Recommendation: Poplar Hill Creek Lane

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

23 **Helen Court in Singletree**

Recommendation: Helen Marie Court

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

24 **Hickory Lane (County Road 30644) off of Scotch Neck Road**

Recommendation: Windy Court

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

- 25 **Holly Lane in Pleasant View Subdivision**
Recommendation: Holly Tree Lane

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

- 26 **Hollywood Drive (County Road 30526) in Hollywood Shores**
Recommendation: Jones Wharf Road

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

- 27 **John H.T. Briscoe Road (County Road 30612) off of Steer Horn Neck Road**
Recommendation- Briscoe Road

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

- 28 **John Lynch Road (County Road 30161) off of Compton Road (MD Route 243)**
Recommendation: Ben Morgan Road

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

- 29 **Joy Chapel Road (County Road 30194) off of Joy Chapel Road**
Recommendation: Marva Point Way

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 30 **King Road (County Road 30764) in Queentree Landing**
Recommendation: Queens Landing Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 31 **Laurel Grove-Morganza Road (County Road 30054) off of Morganza Turner Road
Kavanaugh Road (County Road 30062) off of Laurel Grove Morganza to Md. Rte. 247**
Recommendation: Rename #30054 to Laurel-Grove Road
Kavanaugh Road to remain

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 32 **Little Drum Cliffs Road in Little Cliffs Subdivision**
Recommendation: Little Cliffs Lane.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

33 **Manor Drive (County Road 30795) in Hollywood Shores**

Recommendation: Oyster Bay Drive.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

34 **Mattingly's Way in Three Coves (also known as White Swan's Lane)**

Recommendation: Ivy Lane

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

35 **Miles Drive off of Three Notch Road (Md. Route 235) in California.**

Recommendation: Miles Village Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

36 **Nelson Road (County Road 30085) off of Budds Creek Road (MD Route 234)**

Recommendation: Eddie Nelson Road

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

37 **Newtown Neck Road (County Road 30165) at the end of Compton Road (MD Route 243)
Compton Road (MD Route 243)**

Recommendation: Rename #30165 to Newtowne Neck Road

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Later in the meeting, it was discussed that because Compton Road was not advertised to be changed, it will be included in the "clean up" public hearing that will be held at a later date.

38 **Nolan Road (County Road 30172) off of Nolan Road**

Recommendation: Nolan Court

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

39 **North Lawrence Avenue in Leonardtown**

Recommendation: Spalding Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

40 **Old Breton Beach Road (County Road 30239) off Breton Beach Road**

Recommendation: To delete from the Official Road Name List because the road has been abandoned

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

41 **Old Route 245 (County Road 30056) off of Hollywood Road (MD Route 245)**

Recommendation: Old Hollywood Road

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 42 **Parsons Mill Road (County Road 30518) off of Friendship School Road
Friendship School Road (County Road 30081)**
Recommendation: Rename #30081 to Parsons Mill Road; however, because Friendship School Road was not advertised to be changed, it will be included in the "clean up" public hearing that will be held at a later date.

The Commissioners gave their concurrence.

- 43 **Queentree Road (County Road 30065) off of Three Notch Road (MD Route 235)**
Recommendation: Oakville Road

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

- 44 **Quiet Water Bend Road (County Road 30592) off of Greenview Drive**
Recommendation: Greenview Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 45 **Rickey Drive in Hillville**
Recommendation: Ricky Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 46 **(A) Smith's Nursery Road (County Road 30189)
(B) Smith's Nursery Road (County Road 30187)**
Recommendation: Rename #30187 to Ingleside Road; #30189 to rename

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

- 47 **Sotterley Road (County Road 30184) off of Sotterley Gate Road
Sotterley Gate Road Md. State Route 245**
Recommendation: Rename Sotterley Gate Road Rte. 245 to Sotterley Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 48 **St. John's Road (County Road 30215) off of Three Notch Road (MD Route 235) -**
Recommendation: Rename east portion to Beck Road

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

- 49 **St. Mary's Street in St. Clement's Wood**
Recommendation: Fido Road

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Fourth, Fifth, and Seventh Districts

1. **Air Force Road (County Road 30994) in Wicomico Shores
Executive Boulevard (County Road 30995) in Wicomico Shores**
Recommendation:- To rename 30994 and 30995 to Aviation Yacht Club Road because they are extensions of Aviation Yacht Club Road.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

2. **Allison Circle (County Road 30922) off Skyview Drive in Golden Beach**
Rooftop Circle (County Road 31116) in Golden Beach
Recommendation:- rename Allison Circle to SkyView Drive because it is an extension of Skyview Drive; renaming a portion of 31116 to Allison Circle because it is part of Allison Circle

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

3. **Anderson Lane in Thompson's Corner**
Recommendation: Copperhead Lane

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

4. **Bailey Road (MD Route 520) off of White's Neck Road**
Maryland Route 520 Extension (County Road 30935)
Recommendation: White's Neck Road because they are extensions of White's Neck Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

5. **Bailey Way off Colton's Point Road (MD Route 242) in Milestown**
Recommendation: Denby Hill Lane

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

6. **Beverly Drive (County Road 30701) off Cox Road in Beverly Estates**
Recommendation: Cox Court

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

7. **Bietzell Road (County Road 30105) off of MD Route 520**
Recommendation: Beitzell Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

8. **Birch Manor Drive (County Road 30713) off of Birch Manor Drive**
Camellia Court (County Road 30715) off of Birch Manor Drive
Recommendation: Rename Birch Manor Drive to Birch Manor Circle
Rename Camellia Court to Birch Manor Drive

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

9. **Bushwood Drive (Private Road 4038) in Longview Beach**
Recommendation: Woodbush Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

10. **Chaptico Mechanicsville Road (County Road 30029)**
Recommendation: Mechanicsville Road

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

11. **Colonial Court in Lockes Hill Forest**

Recommendation: Nor Way

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

12. **Comanche Lane (County Road 30650) off Pocahontas Drive in Indian Creek Estates**

Recommendation: Blackfoot Drive

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

13. **County Oak Road (County Road 30503) in Golden Beach**

Recommendation: Golden Beach Road because it is an extension of Golden Beach Rd.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

14. **Duke Lane (County Road 30561) off Oaks-Coskey Swamp Road**

Recommendation: Dukesville Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

15. **Dynard Circle in Mount Pleasant**

Dynard Drive in Mount Pleasant

Pleasant Drive (County Road 30660) off MD Route 470

Ted Drive (County Road 30661) in Mt. Pleasant

Ted Circle (County Road 30662) off of Ted Circle in Mt. Pleasant

Recommendation: Delete Dynard Circle and Dynard Drive from Road Name List; rename #30660 to Ted Drive because it is known as Ted Drive; rename #30661 to Ted Circle because it is known as Ted Circle; rename #30662 to Pleasant Court.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

16. **Dynard-Hurry Road (County Road 30520) off Colton Point Road (MD Route 242)**

Hurry-Chaptico Road (County Road 30091)

Recommendation: Combine #30520 and #30091 to one name - Hurry Road (which will require a public hearing because it duplicates #30089 "Hurry Road.")

The Commissioners gave their concurrence.

17. **E. Ray Burroughs Lane**

Recommendation: Harvest Lane.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

18. **East Mt. Chance Lane (County Road 31071) in Mt. Chance**

Recommendation: Mt. Chance Lane

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

19. **Flora Corner Road (County Road 30045)**

Recommendation: - (a) rename west portion of #30045 from Old Md. Rte. 5 to ThreeNotch Road to Old Flora Corner Road; east portion of #30045 to remain Flora Corner Road.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

20. **Four Seasons Court (County Road 30978) off of New Market Turner Road (MD Route 6)**
Four Seasons Drive East (County Road 31006) off of New Market Turner Road (MD Route 6)

Four Seasons Drive West (County Road 31005) off of Four Seasons Court

Recommendation: #30978 to remain as listed on the Road Name List; combine #31006 and #31005 with the private portion between them under one name: Four Seasons Drive.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

21. **Gibson Road in Gibson Subdivision**

Recommendation: Jack Gibson Road

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

22. **Goodrich Lane in Morganza**

Recommendation: To delete from the Official Road Name List because it is the same road as "Goodrick Lane"

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

23. **Grant Court (County Road 30960) in Laurel Ridge**

Recommendation: Laurel Ridge Court

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

24. **Horse Landing Road (Private Road 4201)**

Recommendation: Delete b/c same road as Riverview Road

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

25. **Lockes Hill Road (County Road 30042)**

Recommendation: To rename portion of #30042 from Three Notch Road (MD Route 5) to the west, Old Lockes Hill Road; east portion #30042 will remain Lockes Hill Road.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

26. **Longwoods Lane in Maddox**

Recommendation: To delete from the Official Road Name List because it is the same road as "Long Woods Lane"

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

27. **Louis Thomas Road (County Road 30124) off Louis Thomas Road**

Recommendation: To rename to Thomas Carter-Lane

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

28. **New Market Turner Road (MD Route 6)**

Recommendation: To rename the portion of Md. Rte. 6 from Three Notch Notch to Charles County line to New Market Road

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

29. **North Manor Road (County Road 31043) in Colton Point**
South Manor Road (County Road 31064) in Colton Point
Recommendation: Rename #31043 to Dukeharts Court; rename #31064 to Charles Hall Court

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

30. **Oak Drive (County Road 30579) off Golden Beach Road**
Recommendation: Oak Acres Drive

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

31. **Oaks-Coskey Swamp Road (County Road 30002)**
Recommendation: Mt. Wolf Road

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

32. **Old Golden Beach Road #1 (County Road 30008) from Golden Beach Road to Carroll Manor Drive**
Old Golden Beach Road #2 (County Road 30921) from Golden Beach Road to the dead-end
Recommendation: Rename #30008 to Old Golden Beach Road
Rename #30921 to Patuxent Knolls Court

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

33. **Old Route 5 (County Road 30001) off Three Notch Road (MD Route 5) in the Charlotte Hall area**
Old Route 5 (County Road 30027) off Three Notch Road (MD Route 5) in the New Market Area
Old Route 5 (County Road 30044) from Three Notch Road (MD Route 5) to Leonardtown Road (MD Route 5) near the MD Route 5/MD Route 235 junction
Recommendation: rename #30001 Charlotte Hall Road
rename #30027 New Market Village Road
rename #30044 Old Village Road

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

34. **Seminary Road in Persimmon Hills**
Persimmon Creek Road in Mechanicsville
Recommendation: Rename Seminary Road to Persimmon Creek Road because it is the same road as Persimmon Creek Road.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

35. **Riverview Drive (Private Road 4051) in Long View Beach**
Recommendation: Viewriver Drive

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

36. **Sandy Court off Bohle Road in Mechanicsville**
Recommendation: Mary Valinda Lane

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

37. **Skyview Drive in Luckland**

Recommendation: To delete from road name list because road was recorded but not built.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to accept the Task Force's recommendation. Motion carried.

38. **Summitt Hill Court in Summitt Hill**

Recommendation: To correct road name to "Summitt Court" as originally recorded

Commissioner Bailey moved, seconded by Commissioner Jarboe, to accept the Task Force's recommendation. Motion carried.

39. **Waterloo Road (County Road 30132) off of Waterloo Road**
Waterloo Road (County Road 30131)

Recommendation: Rename #30131 from Md. Rte. 242 (N) to Md. Rte. 243 (S) to Waterloo Circle. #30132 to remain

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

40. **Willie Hayden Road in Maddox**

Recommendation: Bashford Lane as originally recorded

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept the Task Force's recommendation. Motion carried.

Glenn Mary Farm Road

Mr. Wible advised that the Committee had recommended to do nothing at this time because it does not have anything to do with the 911 Addressing System. However, the property owners can submit a petition for renaming at a later time.

In conclusion Mr. Wible advised that the Resolutions approving the referenced road names will be prepared for the Commissioners' signatures for next week's meeting.

DEPARTMENT OF PLANNING AND ZONING

Present: Jon Grimm, Director
Peggy Childs, Recording Secretary.

Countryside - Vested Rights

As a result of the Commissioners' direction of October 11, 1994, Mr. Grimm submitted a memorandum from Dan Ichniowski, Director of Public Works, stating that in March of 1987 the Planning Commission had imposed a \$600 per lot fee for costs associated with the construction of Pegg Road on Countryside and other impacted developments. The developer then appealed this decision to the County Commissioners asking that the fee be waived, since he had to build a portion of Pegg Road to serve his development. The Commissioners' waived the \$600 per lot fee in favor of a March 15, 1988 Public Works Agreement requiring the developer to pay the County \$148,000 for construction of Pegg Road. Mr. Ichniowski's memo continues the costs would have been the same whether for 63 or 135 units and states further he does not believe the County has to reimburse the developer whether or not the remaining lots are built. Commissioner Bailey

argued that he didn't believe the developer would have paid the \$148,000 if he had not expected to build Phase 2.

Mr. Grimm stated, under the current zoning ordinance density requirements, the developer could not achieve more than 52 lots. The developer is asking that Phase 2 be grandfathered under ZO #78-43 for 60 lots and claims that the \$148,000 paid to the County included infrastructure to serve Phase 2. However, Mr. Ichniowski pointed out that stormwater management was not included in the payment because a different stormwater management system was to have been provided to serve Phase 2.

Commissioner Thompson stated that she does not believe the 1988 Public Works Agreement guaranteed any vested rights for Phase 2 and said, to her, the first issue is the fact that Phase 2 never received final site plan approval to meet the original grandfathering requirement and, in fact, was never included in the projects which requested vested rights. To approve vested rights for Phase 2 would require DPZ and the Planning Commission to review the site plan under a Zoning Ordinance that has been defunct for 5 years. Her second point was that the Commissioners are not hurting the developer because he will still be allowed to construct Phase 2 under the current Zoning Ordinance. Commissioner Jarboe stated he believed the Countryside project was on one of the lists submitted to the Commissioners.

After lengthy discussion, the consensus of the Commissioners was to defer the matter to the County Attorney to see whether the PW Agreement did, in fact, confer any vested rights for Phase 2 and whether the project would qualify under the other criteria established for grandfathering. The matter will be reviewed by Mr. Densford and brought back to the Commissioners at their next meeting.

St. Clements Woods Growth Allocation

Mr. Grimm distributed the Critical Area Commission's reply to the County Commissioners request that the Commission reconsider its 6/1/94 decision to approve the use of growth allocation for the St. Clements Woods request, but requiring deduction of the full Critical Area acreage of the parcel, or 18.5 acres.

The Commissioners questioned the CAC's decision, stating that the St. Clements Woods application met the criteria of the St. Mary's County program, which has been approved by the CAC. Mr. Grimm related that both he and County Attorney Joe Densford attended a meeting with the Commission in October, asking that the Commission reverse its decision or require the County to change its Critical Area Program. The Commission did neither, voting to reconsider the application but maintaining its decision that, since there was no 20-acre set aside, the full 18.5 acres would have to be deducted as growth allocation.

Mr. Cox stated that this situation is holding the applicant hostage, and asked if the 1.5 acres could be recorded so he could proceed? However, Mr. Grimm replied that in his opinion that would be tantamount to accepting the Critical Area Commission's condition and the Commissioners felt that this is a matter which must be resolved. Commissioner Jarboe suggested contacting other counties which might be similarly impacted; for example, Wicomico County.

The Commissioners felt that the Commission's decision should be appealed to the Court, and deferred action for one week to allow the County Attorney to review the situation and provide a legal opinion on what course to follow. Commissioner Thompson suggested that correspondence also be directed to Senator Dorman, so the Legislature may be informed of what is taking place.

1994 Zoning Amendments

Mr. Grimm presented a prepared Resolution adopting the current zoning amendments, including two editorial revisions made by the County Attorney. The adopting Resolution contains all 3 mapping changes approved by the Board at last week's meeting (Otis Wood, Marv Franzen, and Doug Green), and sets the fee for the Administrative Buffer Variance at \$170, or 1/2 of the Board of Appeals variance applicaiton fee.

Commissioner Jarboe questioned the rezoning of the Franzen parcel to C-General, stating he thought the rezoning was to CL. Commissioner Bailey stated that, in fact, the rezoning was to C-General; that was the motion and that was his intention. Commissioner Jarboe had no problem with the C-General rezoning.

It was moved by Commissioner Lancaster and seconded by Commissioner Jarboe that the Commissioners sign the adopting Resolution as presented, as revised by the County Attorney on 11/21/94. The adoption date of the new Ordinance will be 11/28/94.

Before calling for the vote, Commissioner Thompson stated for the record that she would vote against the motion based on the rezonings of the Marv Franzen and Doug Green properties, particularly the Doug Green property. She said the Green rezoning especially concerns her because when it went to the Planning Commission the adjoining property was zoned industrial and the Planning Commission based their recommendation on that. After the fact, it was found that the adjoining property was zoned residential and the tax map was apparently in error; now the people who live along Lawrence Hayden Road are faced with having industrial property right across the road from them. With this rezoning, Commissioner Thompson said the Commissioners will have changed the neighborhood by extending industrial zoning all the way to Lawrence Hayden Road, and she wonders what the Planning Commission would have done if they had been presented with that situation.

Commissioner Thompson called for the vote, which passed by 3-1. Commissioner Thompson voted against.

**ROAD RESOLUTION R94-34
SANDGATES ROAD BRIDGE**

Present: Dan Ichniowski, Director

Mr. Ichniowski appeared before the Commissioners to present Road Resolution No. R94-34 posting the speed limit at the bridge located on Sandgates Road at 15 miles per hour for all vehicular traffic and imposing a weight limit restriction at three tons.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Road Resolution as presented. Motion carried.

ADJOURNMENT

The meeting adjourned at 12:05 p.m.

**Minutes Approved by Board of
County Commissioners on 11/29/94**

Judith G. Spalding
Recording Secretary