

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 10, 1981

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner Ford L. Dean
Commissioner David F. Sayre
Edward V. Cox, County Administrator
Judith A. Mullins, Recording Secretary
(Commissioner Millison was not present.)

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

APPROVAL OF VOUCHERS

Commissioner Aud moved, seconded by Commissioner Dean, to approve payment of the encumbrance vouchers as submitted by the Director of Finance. All Commissioners voted in favor.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meetings of January 20, 1981 and January 27, 1981 as submitted by the secretary. All Commissioners voted in favor.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of February 3, 1981 as amended. All Commissioners voted in favor.

RESIDENT MAINTENANCE ENGINEER REPORT

Present: John D. Raley, Resident Maintenance Engineer

Mr. Raley presented his twice monthly status report on road, drainage and sign problems and received input from the Commissioners as to additional areas of concern.

NON-URBANIZED PUBLIC TRANSPORTATION GRANT

Present: Joseph P. O'Dell, Budget Officer
Leonard Kessler, Kessler Bus Lines

Mr. O'Dell explained that the County is in receipt of correspondence dated January 28, 1981 advising that the application for an FY '80 Public Transportation Operating Assistant Grant under the Maryland Department of Transportation for the project period 7/1/79 to 6/30/80 has been approved. Total project cost is in the amount of \$57,000 (federal share - \$29,000; state share - \$16,500) with Mr. Kessler providing the local share.

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Mr. O'Dell advised that the Transportation Committee had its first organizational meeting and endorsed the continuation of this process and will be submitting in the near future an additional request for the current fiscal year under the same arrangements of the FY '80 grant.

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the referenced grant documents for FY '80. All Commissioners voted in favor.

STANDARDIZATION FOR TIME OF PUBLIC HEARINGS

The County Administrator advised that it has been suggested that all public hearings within County Government be advertised at a standard time and it has been proposed that it be 8:00 p.m.

The Commissioners gave their concurrence.

SENIOR SERVICES CENTER

The County Administrator requested approval from the Board of County Commissioners of an amount not to exceed \$10,000 to complete the referenced project which has been brought to this point by C.D.B.G. funds and Commission on Aging funds. The County Commissioners approved the request and authorized the Budget Officer to prepare the necessary budget amendment. Said funds for completion will be refunded to the County upon receipt of the next CDBG.

TERMINATION OF CETA PROJECTS

Present: Gerda Manson, Personnel Officer
Edward V. Cox, County Administrator

For informational purposes, Mr. Cox and Mrs. Manson advised the Commissioners of the termination of two of the County's CETA Projects, effective March 31, 1981, which will affect 13 persons. There is a strong possibility that the remaining CETA projects may be terminated in the first quarter of the next fiscal year.

BUDGET AMENDMENTS 81-37 and 81-38 - COUNTY ENGINEER

The County Administrator presented the referenced Budget Amendments as recommended for approval by the Budget Officer as follows:

No. 81-37 - Increase Account No. 1243-6082 (Fifth District Transfer Station) in the amount of \$21,000; decrease Account No. 12436102 (St. Andrews Landfill) in like amount.

No. 81-38 - Increase Account 1252-8012 (Surface Treatment) in the amount of \$37,537; decrease Account No. 1252-8022 (Asphalt Overlay - Undistributed) by like amount.

EASEMENT AGREEMENT - C&P TELEPHONE COMPANY
CROSSING OF RAILROAD RIGHT-OF-WAY

The County Administrator presented the Easement Agreement between the C&P Telephone Company, Southern Maryland Electric and St. Mary's County Commissioners to cross the old county railroad right-of-way for the installation of a cable.

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the referenced Budget Amendments. All Commissioners voted in favor.

REQUEST FOR OVERTIME PAYMENT
SHERIFF'S DEPARTMENT

The County Administrator presented the request for overtime payment by the Sheriff's Department for the period beginning January 3, 1981 and ending January 30, 1981 as follows: regular deputies - \$827.80 and CID deputies -\$435.57.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve payment of overtime by the Sheriff's Department as requested. All Commissioners voted in favor.

ROAD RESOLUTION R-81-19
WILDEWOOD SUBDIVISION

On behalf of the County Engineer, the County Administrator presented the referenced Road Resolution setting the speed limit at 25 miles per hour on the following roads in Wildewood Subdivision:

1. Wildewood Parkway (Section I)
2. Split Oak Place
3. Rolling Oak Lane
4. Green Acre Lane
5. Pine Needle Court
6. Rolling Oak Lane Ext.
7. Shady Hollow Lane.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve Road Resolution No. R-81-19 as set forth above. All Commissioners voted in favor.

ROAD RESOLUTION NO. 81-20
SPRING VALLEY SUBDIVISION

On behalf of the County Engineer, the County Administrator presented the referenced Road Resolution designating the following streets in Spring Valley Subdivision as Stop Streets:

1. Spring Valley Drive as it intersects with Peggs Lane;
2. Fox Ridge Road at both intersections with Spring Valley Drive;
3. Briarwood Court and Majestic Court as they intersect with Fox Ridge Road;
4. County's portion of Valley Road as it intersects with Fox Ridge Road;
5. Walnut Court and Spring Valley Court as they intersect with Spring Valley Drive;
6. Timber Valley Court as it intersects with Spring Valley Drive;
7. Rosewood Drive as it intersects with Spring Valley Drive;
8. Rosewood Terrace and Stoney Brook Road as they intersect with Rosewood Drive;
9. Stoney Brook Court as it intersects with Stoney Brook Road.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve said Road Resolution. All Commissioners voted in favor.

SENATE BILL 405
POWER PLANT SITES

The County Administrator presented correspondence for the Commissioners' signatures addressed to the Chairman of the Economic Affairs Committee urging their favorable considerations of Senate Bill 405 dealing with interim uses of power plant site program property, and requesting its early enactment by the General Assembly.

PROJECT NO. 80-1-5
ESTIMATE NO. 5

Present: John Norris, County Engineer

Mr. Norris presented Voucher No. 13288 payable to Dean Construction Company in the amount of \$172,687.24 for Estimate No. 5 for the referenced project.

The Commissioners gave their approval for payment of said voucher.

ACCEPTANCE OF DEED
ROADS IN SPRING VALLEY SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated December 24, 1980 by and between Maryland National Bank and St. Mary's County conveying to the County the streets and roads in Spring Valley Road Subdivision as follows: Stoney Brook Road, Stoney Brook Court, Rosewood Drive, and Rosewood Terrace.

Commissioner Dean moved, seconded by Commissioner Arnold to accept said Deed. All Commissioners voted in favor.

ACCEPTANCE OF DEED
ROLLING COURT
TOWN CREEK MANOR SUBDIVISION

Present: John Norris, County Engineer

Mr. Norris presented a Deed dated December 10, 1980 by and between A. Leola Dean and the County Commissioners conveying Rolling Court in Town Creek Manor Subdivision, Section 1-B into the County Highway Maintenance System.

Commissioner Arnold moved, seconded by Commissioner Sayre, to accept said deed. Three Commissioners voted in favor, with Commissioner Dean abstaining.

ADDENDUM TO PUBLIC WORKS AGREEMENT
ESPERANZA FARMS SUBDIVISION
SECTIONS 2-F, 3-B, 5-B

Present: John Norris, County Engineer

Mr. Norris presented addendum to the Public Works Agreement by and between Robert G. Margaret C., Franklin W. and Mary G. Dean and St. Mary's County, Maryland extending the deadline for completion of the roads in Esperanza Farms Subdivision to June 30, 1981.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Addendum. Three Commissioners voted in favor, with Commissioner Dean abstaining.

HELEN FARMETTES

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that the Addendum to the Public Works Agreement for Helen Farmettes which expires on this date has not been received. He stated that he has met with the developer who is attempting to obtain same. Mr. Norris recommended that the Commissioners authorize the "Stop Work Order" in order to be consistent with county policy until the Addendum with surety is presented. The Commissioners gave their concurrence.

ROAD RESOLUTION NO. 81-18
ST. JOHNS ROAD

Present: John Norris, County Engineer

Mr. Norris presented the referenced Road Resolution setting for the following speed limits for St. Johns Road:

1. Milepost 1.75 right, remove 40 miles per hour speed limit and establish at mile post 1.55 right;
2. Milepost 1.75 left; remove 50 miles per hour speed limit sign;
3. Milepost 3.75 left and right, remove 40 miles per hour and 30 miles per hour speed limits respectively and establish at milepost 3.62 left and right respectively;
4. Milepost 2.0 right and milepost 2.3 left; add advisory speed plaque for 35 miles per hour on existing reverse curve sign.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the referenced Road Resolution. All Commissioners voted in favor.

VILLA ROAD

Present: John Norris, County Engineer

Mr. Norris discussed with the Commissioners the design requirements for Villa Road and review the data secured from NESEA concerning travel volumes, construction work load and type of vehicles utilizing the roadway. Mr. Norris advised that NESEA personnel indicated construction similar to Mattapan Road standards would be acceptable. Mr. Norris recommended 11

foot lanes, four foot shoulders, and drainage ditches approximately five feet from the edge of the shoulders. He further recommended that the horizontal and vertical curves meet 40 miles per hour design standards. The road will be posted at 40 miles per hour.

The Commissioners gave their concurrence to Mr. Norris' recommendations.

ST. JEROMES CREEK - SOUTHERN PRONG
MAINTENANCE DREDGING PROJECT

Present: John Norris, County Engineer

Mr. Norris presented the plans for the maintenance dredging project at the Southern Prong of St. Jeromes Creek. He stated that all easements have been obtained with the exception of one which is anticipated to be forwarded shortly.

The Commissioners gave their concurrence for Commissioner President Aud to sign the plans and for the County Engineer to proceed with the project.

RECREATIONAL FACILITIES AT TUBMAN-DOUGLAS

Present: John Baggett, Director, Recreation and Parks
John Norris, County Engineer

Mr. Baggett appeared before the Commissioners to recommend that the County Engineer include as an alternate to the design plans for storm and sewer drains for Tubman Douglass project the design and upgrading of the recreational facilities areas.

The Commissioners gave their concurrence and stated that they would reserve the final decision as to whether to proceed with the work after the bids are received.

AIRPORT MASTER PLAN

Present: George Sullivan, Chairman, Airport Commission
Frank Gerred, Director, Planning and Zoning

The Airport Master Plan was reviewed by those present in preparation for final adoption. Commissioner Dean discussed the concerns that had been raised at the special February 5 meeting relative to the Master Plan and the required amendments to meet those concerns. The three concerns are as follows:

1) It was concluded that if the Plan was amended to accurately reflect the property that the County now owns and further show the boundaries of property that would be needed to conform to the FAA Regulations, then it would be acceptable.

2) That the County go on record as stating and emphasizing that it is the intent at the present time to maintain the Airport at its present classification which is Basic Utility Non-Precision.

3) That the Plan be amended to delete the adoption of the 1997 projected noise levels and that the noise data of 1977 be used.

Mr. Sullivan indicated that the Airport Commission would meet this evening to review and approve the amendments and that the consultants would be requested to make the necessary changes on the Master Plan and related documents and the finally amended document would be returned to the Commissioners for approval.

REZONING DECISION DISCUSSION
NATIONAL MOBILE HOMES
CHARLES F. PAINTER
ZONE #80-2321

Present: Frank Gerred, Director, Planning and Zoning
Anita Meridith, Recording Secretary

(Request to rezone Parcels 242, 359, 278, part of parcel 270, 50, and 239, Tax Map 43, located on Maryland Route 235, across from Rue Purchase Road, Eighth Election District, containing approximately 20.235 acres from R-2 and C-2, to MH, Mobile Home)

County Commissioner President George Aud and Commissioner members Richard Arnold, David Sayre and Ford Dean were present during the ensuing discussion and decision rendering meeting held this date regarding the rezoning request of Charles F. Painter for MH, Mobile Home zoning.

Mr. Gerred, Director of the Office of Planning and Zoning, reflected that both the staff and the Planning Commission had recommended the granting of this rezoning request. He also related that the County Commissioners had indicated in their resolution prepared on the original request that they would consider a Mobile Home Park category, if the applicant would return with the proper accumulation of property necessary to initiate the request.

It was pointed out that the only impediment between this request and its approval was the lack of a prepared plat which would indicate that portion of the property that the applicant wishes to retain as commercial (present display building). Said plat will be prepared and made part of the record.

It was the consensus of the Board to grant the applicant's request for Mobile Home zoning, as enumerated in his application ZONE #80-2321: NATIONAL MOBILE HOMES, and thereby instructed the County Attorney (via this transcript) to prepare the appropriate resolution. Commissioner Dean noted that he would subsequently convey his written remarks to the County Attorney.

ALPD #80-3293 - JAMES F. ALVEY & JOSEPH W. THOMPSON

Present: Frank Gerred, Director, Planning and Zoning
Anita Meredith, Recording Secretary

The Commissioners conducted a public hearing on the request to establish an Agriculture Land Preservation District located on Md. Rt. 242, Clements, Maryland, Tax Map 24, Block 3, Parcel 33 and Block 10, Parcel 30 in the Fourth Election District, also Tax Map 24, Block 10, Parcel 3 and the Third Election District. The contiguous properties contain approximately 276.45 acres total and are currently zoned AR-2, Agricultural-Residential. The property is located just off Sunnyside Road, south of the Chopticon High School.

Mr. Gerred advised that both the county Agricultural Preservation Board and the Planning Commission had recommended approval.

After discussion, Commissioner Dean moved, seconded by Commissioner Arnold, to recommend approval of this request and to establish an Agricultural Land Preservation District for the property enumerated in said application. All Commissioners voted in favor.

HISTORIC DISTRICT DESIGNATIONS

Commissioner Dean advised that Mr. Beitzell, the County Historian brought to his attention a change in the federal regulation that applies to the placement of historic property on the National Register of Historic Places. The Federal Regulation requires that the placement be done only with the property owner's approval. Mr. Beitzell questioned that since it appears that the State of Maryland Historical Trust is going to adopt the same requirement and regulations, he wondered if the County should also adopt a similar type policy for historic district as provided for in the County Zoning Ordinance.

The Commissioners agreed to request the Historic District Commission to make recommendations to the Commissioners and also to indicate to Mr. Beitzell that the Commissioners appeared to look favorable upon being consistent with that requirement in our designation of Historic Districts.

REQUEST FOR SETTLEMENT
ST. MARY'S RIVER WATERSHED PROPERTY

Present: Mrs. Mary Calloway

As a follow up to last week's meeting with the County Commissioners regarding a settlement regarding the purchase of certain land by the County for the St. Mary's River Watershed, the Commissioners advised that the County Attorney could not find any grounds for error in the survey conducted by Mr. Focer. He advised that in order for Mrs. Calloway to reach a settlement the matter should be heard in Civil Court for a determination.


PUBLIC SERVICE EMPLOYMENT GRANT

Present: Mrs. Billye McGaharn, Senior Services Coordinator

Mrs. McGaharn presented to the Commissioners a proposal for Public Service Employment (PSE) Program which would put to work in a training setting out-of-school, unemployed youth with close guidance by an adult supervisory. The Program will be funded in stages over a period of approximately six months and is of no direct cost to the County. The Commissioners authorized Commissioner President Aud to sign the Agreement documents upon presentation.

The meeting adjourned at 2:35 p.m.

Approved,


George R. Aud
President