

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, July 21, 1981

Present: Commissioner George R. Aud, President
Commissioner Richard D. Arnold
Commissioner David F. Sayre
Joseph P. O'Dell, Budget Officer
Judith A. Mullins, Recording Secretary

(Commissioners Larry Millison and Ford Dean were not present at the opening of the meeting).

APPROVAL OF BILLS

Commissioner Sayre moved, seconded by Commissioner Aud, to approve payment of the bills as submitted by the Director of Finance. All Commissioners present voted in favor.

VISIT TO CALVERT CLIFFS PROJECT

The Commissioners left the Governmental Center for a tour of the Baltimore Gas & Electric Calvert Cliffs project in Calvert County.

(The Commissioners returned at 1:30 p.m.).

(Commissioner Millison entered the meeting at 1:30 p.m.).

REQUEST FOR PURCHASE OF FURNITURE

Mr. O'Dell presented a memorandum dated July 17, 1981 from Neal Myerberg, States Attorney, stating that in light of his resignation, effective August 8, 1981 he would like to purchase from the County his writing table and credenza.

After discussion, the Commissioners agreed to deny this request in that it would be setting a precedent.

BOARD OF ELECTION SUPERVISORS

Mr. O'Dell advised that the Board of Election Supervisors have requested an increase in salary as follows:

Members from \$1200 to \$1500
Chairman from \$1500 to \$1800
Attorney from \$1500 to \$1800

The Commissioners gave their concurrence with Commissioner Millison expressing his opposition.

SHIFT DIFFERENTIAL - SHERIFF'S DEPUTIES

The Commissioners reviewed the memorandum dated July 17, 1981 from the County Administrator regarding the request presented by Roger Myerberg for back pay and current pay adjustments relative to Shift Pay Differential for the Sheriff's Department.

The Commissioners agreed to accept the recommendation as set forth in the July 17, 1981 memorandum which states that there is no reason to grant back pay, that an upward change in shift differential cannot be supported, and that the subject of shift differential for the Sheriff's Department will be closely studied during the next year's budget process.

SOUTHERN MARYLAND DRUG ABUSE PROGRAM
RESIDENTIAL CARE - SIERRA HOUSE

Mr. O'Dell reviewed with the Commissioners the Renewed Grant for the referenced project for FY '82 in the amount of \$86,678. The Commissioners agreed to authorize Commissioner President Aud to sign said Grant Renewal.

LEASE AGREEMENT
ST. MARY'S RIVER STATE PARK

Mr. O'Dell reviewed with the Commissioners the Lease Agreement by and between the State of Maryland, Department of Natural Resources and the St. Mary's County Commissioners, for the use of the St. Mary's County Sheriff's Department as a rifle and pistol range. The Commissioners agreed to authorize Commissioner President Aud to sign said Lease Agreement.

REQUEST FOR ADVERTISEMENT OF PART-TIME POSITION
CLERK-TYPIST - SHERIFF'S DEPARTMENT

Mr. O'Dell stated that the Personnel Officer has requested approval for the advertisement of the Clerk-Typist, Grade 4 position in the Sheriff's Department. The Commissioners gave their concurrence and Commissioner Millison suggested that advertisement of positions in the Pilot Newspaper be used whenever possible.

(Commissioner Dean entered the meeting - 2:00 p.m.).

PUBLIC AUCTION OF COUNTY PROPERTY
ACCESS WAY TO OAKVILLE LANDFILL

Mr. O'Dell presented a memorandum from the Director of Purchasing and Logistics regarding the sale of the referenced property that was held July 9, 1981. After discussion of the bids, the Commissioners agreed to reject the bids and to readvertise due to the fact that there may have been possible misunderstanding as to what property was actually being made available for sale.

HOUSING AUTHORITYTRANSFER OF FISCAL CLERK POSITION/MAINTENANCE POSITION

Mr. O'Dell presented a request that the Fiscal Clerk II position in the Housing Authority Office be transferred from the Section 23 Program to a County position and further that the Maintenance position be transferred from County to Section 23. Mr. O'Dell stated that the Fiscal Clerk is now handling more than the Section 23 Program. The Commissioners gave their concurrence.

TUBMAN DOUGLASFEASIBILITY OF HOME OWNERSHIP

Commissioner Millison stated some time ago that the Commissioners had requested the Public Housing Coordinator, Mr. Mitchell to look into the possibility of eventual home ownership for the residents at Tubman Douglas and suggested that he come before the Commissioners with a status report. The Commissioners concurred.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meetings of June 23, 1981, June 30, 1981 and July 7, 1981. All Commissioners voted in favor.

REZONING DECISION/DISCUSSIONZONE NO. 81-0163MAYJACK, INC. (AMBER MEADOWS)ZONE #81-0163: MAYJACK, INC., AMBER MEADOWS

Application requesting rezoning and approval of a concept development site plan for approximately 52 acres, located off Maryland Route 235 & Chancellor's Run Road in the 8th Election District on Tax Map 42, Block 6, Portions of Parcels 18, 51 & 71. Request rezoning from R-2, Residential, to MH, Mobile Home Park

Commissioner Larry Millison stated that he would like the record to reflect that at the inception of the public hearing held June 23, 1981 regarding this rezoning request, he had asked the Chairman to publicly announce that he would be abstaining from participation in this matter, due to what he felt was a conflict of interest. Commissioner Millison noted that in the interim, counsel for the protestants had contacted the County Attorney and had submitted written request that he (Commissioner Millison) abstain from participation in this matter. In view of the aforementioned, Commissioner Millison, at this point, excused himself.

MAYJACK, INC. (AMBER MEADOWS) Cont'd.

Commissioner Ford Dean noted that he also would refrain from participation in this hearing, having formerly entered his prepared written statement into the public hearing.

Commissioner Aud moved to approve the requested rezoning for the following reasons:

1. The property is adjacent to an existing mobile home park;
2. It is serviceable by public sewer;
3. It is near Lexington Park, the County's largest business area;
4. It has access to Route 235 and Chancellor's Run Road;
5. The property is as ideally suited for a mobile home park as any property in the County and will serve a residential housing need;
6. Mistake in the zoning was sufficiently demonstrated at the hearing;
7. That the Mobile Home Park District is a floating zone.

There are certain conditions that should be imposed.

1. No intersecting street between the mobile home park and Barefoot Acres Subdivision.
2. An entrance and access road off of both Chancellor's Run Road and Route 235.

The motion was seconded by Commissioner Sayre.

Question ensued and Commissioner Sayre asked how much buffer zone would be retained around the perimeter of the property. Mr. Gerred responded that the Ordinance required a 50 foot buffered area. He advised that much of the property was "treed" and in fact, the applicant had shown a 75 foot buffer on his plan.

Commissioner Sayre inquired if anything could be built within that buffered area. Mr. Gerred answered that while no homes nor recreation areas could be placed within that defined area, that walkways could be constructed.

In response to several other concerns of Commissioner Sayre, Mr. Gerred noted the following: The proposed mobile home area is approximately 1,200 feet from the Bean property. Maryland Manor Trailer Park lies to the north and the old U.S. Government Railroad Right-Of-Way to the east.

MAYJACK, INC. (AMBER MEADOWS) Cont'd.

Commissioner Sayre asked Mr. Gerred if he felt that this was the most ideal location for this proposal and whether in fact there was a need for additional housing. Mr. Gerred responded affirmatively to both questions.

Commissioner Arnold inquired as to the amount of impact fee that would be required to be paid per unit. Mr. Gerred advised that a total impact fee of \$500 (\$200 EIF and \$300 Parks and Recreation fee), per unit, would be required by the applicant.

Commissioner Arnold noted concern with the present conditions on Chancellor's Run Road and the existing site distance. Mr. Gerred advised that the County Engineer would require that the site distance at this intersection be improved.

Commissioner Arnold reflecting on the fact that this proposed park would be the first built in accordance with the new regulations, questioned whether the creation of this development would challenge a more competitive reaction amongst the other mobile home parks in existence throughout the county. Mr. Gerred answered that indeed, if he were running one of the older parks, in keeping with the competition, he would certainly try to improve conditions therein.

Mr. Gerred advised that seven mobile homes were allowed per acre. He explained the applicant's proposal with respect to the placement of the mobile homes as being arranged 20 feet apart in a staggered effect. It is anticipated that a great majority of these mobile homes will be "double wide" units with the applicant, in all likelihood, providing homes both for sale and rent. Price of these mobile units would range in price up to \$35,000. The units would also range from small efficiency to large four bedroom homes.

Mr. Gerred also noted the possibility that some people may bring older mobile units into the park, however, the trend today is towards "double wides".

Commissioner Sayre asked Mr. Gerred if he felt this was "typical for a Mobile Home Park, as any other place you know." Mr. Gerred responded, "Yes. The motion said it is adjacent to an existing one and is surrounded all the way around by a large area of the applicant's own property. It really should not have much immediate adverse effect on anyone. That was contained within the staff report and was made part of the record."

Commissioner Arnold stated that he felt that the numerous people who had appeared at the hearing voicing their concerns had helped the Board "in many ways to try to do the right thing and I want to bring out the point that we need to check into and hopefully, some of these concerns will be taken care of."

MAYJACK, INC. (AMBER MEADOWS) Cont'd.

The motion having been made and seconded, vote was called.

Commissioners Aud, Arnold and Sayre voted unanimously to forward to the County Attorney the findings of fact, as contained within the minutes herein, approving the rezoning request, in order that the appropriate resolution be prepared for the Commissioners' review and consideration.

Approved,


George R. Aud
President