

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, September 20, 1983

Present: Commissioner George R. Aud, President  
Commissioner Larry Millison, Vice-President  
Commissioner Richard D. Arnold  
Commissioner David F. Sayre  
B. Harris Sterling, Director of Finance (on behalf of County Administrator)  
Judith A. Spalding, Recording Secretary

(Commissioner Ford L. Dean was not present due to illness.)

The meeting was called to order at 2:00 p.m.

APPROVAL OF MINUTES

Commissioner Aud moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of September 13, 1983 as submitted. Motion unanimously carried.

APPROVAL OF BILLS

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

PROCLAMATION NO. 83-66  
EMERGENCY MEDICAL SERVICES WEEK

Present: Tom Oliver, Director, Office of Civil Defense  
Paul Wible, EMS Coordinator

The Commissioners presented the referenced Proclamation designating the week of September 18-24 as Emergency Medical Services Week in St. Mary's County.

TEST WELL SITES

Present: Walter Raum, Director, Environmental Hygiene

Mr. Raum appeared before the Commissioners to advise that the Health Department is desirous of having three ground water monitoring wells placed in different areas of the County and authorization is needed for the use of the County-owned property. The proposed sites are: St. George's Park; Leonardtown Health Department property, on the Library side; and at Charlotte Hall. If the St. George's Park site is in too low of an area, another site in that vicinity will have to be chosen.

After discussion, Commissioner Millison moved, seconded by Commissioner Arnold to grant permission to the County Health Department to place three groundwater test wells on county-owned property, said sites to be selected by Mr. Raum, and further, that if the County should ever have need of the site that the Health Department would relinquish the site. Motion unanimously carried.

COUNTY ADMINISTRATOR ITEMS

Present: B. Harris Sterling, Director of Finance  
(on behalf of Edward V. Cox, County Administrator)

1) CONTRACT  
ST. MARY'S BRANCH OF CHARLES COUNTY COMMUNITY COLLEGE

Mr. Sterling presented a Contract by and between the Board of Trustees of Charles County Community College and the County Commissioners of St. Mary's County. Mr. Sterling indicated that Commissioner approval had previously been received and what was required now was authorization for President Aud to initial the change that was made on Page 4, Section 4(F) regarding equipment. The Commissioners gave concurrence for Commissioner President Aud to initial same.

2) WALDEN-SIERRA  
MIDDLE SCHOOL DRUG AND ALCOHOL PREVENTION GRANT

Mr. Sterling presented the referenced Grant Application for Fy'84 to be submitted to the Drug Abuse Administration

Commissioner Arnold moved, seconded by Commissioner Sayre, to authorize Commissioner President Aud to sign the Grant Application on behalf of Walden-Sierra. Motion unanimously carried.

3) BUDGET AMENDMENT NO. 84-14  
STATE'S ATTORNEY

Mr. Sterling presented the referenced Budget Amendment recommended for approval by the Director of Budget & Data Services with the following justification: Mr. Fritz's attendance at Prosecution on Violent Crime being held in New Orleans September 25-29.

Commissioner Arnold moved, seconded by Commissioner Millison, to approve the referenced Budget Amendment. Motion unanimously carried.

4) CORRESPONDENCE

Mr. Sterling presented the following items of correspondence for the Commissioners' review and signatures:

a) Letter to HUD Area Office expressing the County's appreciation for the funding of the County's Small Cities Community Development Block Grant proposal.

b) Letter to Water Management Administration requesting information regarding the NPDES Discharge Permit Application for Point Lookout State Park Wastewater Treatment and the limitation of discharge at 40,000 gallons per day.

The Commissioners agreed to sign and forward said letters.

COUNTY ADMINISTRATOR'S ITEMS (Continued)

5) RESOLUTION NO. 83-26  
ENERGY CONSERVING IMPROVEMENTS

Mr. Sterling presented the referenced Resolution approving the Energy Administration making loans for energy conserving and other improvements that qualify under the Energy Loan Program to the owners of property located within St. Mary's County.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve and sign Resolution No. 83-26. Motion unanimously carried.

6) MAINTENANCE AND SERVICE CONTRACT  
SHERIFF'S DEPARTMENT RADIO NETWORK

Mr. Sterling presented an Agreement dated September 1, 1983 by and between St. Mary's County Commissioners and St. Mary's County Sheriff's Department and Southern Maryland communications, Inc. for the provision of maintenance and service, including parts and labor, for the St. Mary's County Sheriff's Department radio network.

Commissioner Arnold moved, seconded by Commissioner Aud, to authorize Commissioner President Aud to sign said Contract. Motion unanimously carried.

7) APPOINTMENTS  
BOARDS, COMMITTEES AND COMMISSIONS

Commissioner Arnold moved, seconded by Commissioner Sayre, and unanimously carried, to make the following appointments to Boards, Committees, and Commissions as follows:

<u>Community College Advisory Committee</u>	<u>Term to Expire</u>
Robert Fenwick	June 30, 1985
<u>Historic District Commission</u>	
Ted Newkirk	June 30, 1986
<u>Trailer Park Committee</u>	
Edward Cook	

OFFICE OF COUNTY ENGINEER

Present: John Norris, County Engineer

1) HIGHWAY SAFETY MAINTENANCE STANDARDS GRANT

Mr. Norris advised the Commissioners that he has applied for a Highway Safety Grant in the amount of \$10,000 for the purpose of acquiring a software package for the scheduling of highway maintenance. This would give his office the ability to respond to inquiries regarding timetables for maintenance work to be done. Mr. Norris requested the Board's approve of the grant request, contingent upon review and approve of the Director of Budget & Data Services.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept the County Engineer's recommendation regarding the Highway Safety Grant. Motion unanimously carried.

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

2) METROPOLITAN COMMISSION-PINE HILL RUN WASTEWATER TREATMENT PLANT  
ROAD "C"  
CONSTRUCTION PERMIT AND BONDING REQUIREMENTS

Mr. Norris stated that a continuing issue is whether agencies such as the Metropolitan Commission are required to pay certain permit fees and put up surety bonds. Building permit fees have been exempted for government agencies by Resolution No. 75-53. Correspondence dated September 8, 1983 from the Metropolitan Commission was received stating that surety bonding was not applicable in this case because Met Comm is a county agency and the County has previously waived such bonding requirements and further that the prime contractor on this project has provided Met Comm with a performance bond in the amount of \$7,966,185.

Mr. Norris advised that Commissioners that the Metropolitan Commission is requesting issuance of the Construction Permit and not to require posting of the bond. He stated that he agreed with this course of action by the Board.

Commissioner Arnold moved, seconded by Commissioner Aud, to accept Mr. Norris' recommendation. Motion unanimously carried.

DISCUSSION/DECISION MEETING

Zone # 83-0492 - Thomas J. Woodburn

Requesting rezoning from R-1, Rural-Residential, to C-2, Commercial. The property contains .909 acres and is the site of Rte. 235 Auto Body Shop on the east side of MD Route 235 in Hollywood, approximately 3,000 ft. north of MD Route 4, on Tax Map 34, Block 9, Parcel 290, Eighth Election District.

Following brief discussion by the members, Commissioner Millison moved to approve rezoning to CL, Commercial Limited, as per the Planning Commission and staff's recommendations and based on the change in the neighborhood. Commissioner Arnold seconded the motion; all Commissioners voted in favor.

Zone #83-0509 - Edward Cook

Requesting rezoning from R-2, Medium Density Urban Residential, to MH, Mobile Home Park. The property now known as Forest Run Subdivision contains 9.8 acres and is located on MD Route 246, Great Mills Road across from Sanner's Field, in the Eighth Election District on Tax Map 51, Block 3, part of Parcel 154.

Based on change in the neighborhood, and because of the Navy's repeated requests for housing and the shortage of trailer space in the County Commissioner Millison moved to accept the Planning Commission's recommendation and approve this rezoning from R-2 to Mobile Home Park. Commissioner Aud seconded the motion; all Commissioners voted in favor.

ZPUD #83-0130 - Patuxent River Farms

Requesting rezoning from R-1, Rural Residential to PDR 2.83, Planned Development Residential, with Commercial Marine. The property contains approximately 211 acres and is located on Mill Creek, Town Point Farm, Eighth Election District, on Tax Map 27, Block 24, Parcel 18.

Note: Commissioner Millison did not sit in on this case.

ZPUD #83-030 - Patuxent River Farms (Continued)

Commissioner Aud stated that the purpose of this meeting was to officially close the record, which had been left open from the public hearing of July 26, 1983. The hearing had been closed but the record left open for receipt of additional written comments and rebuttal. Mr. Aud announced that this was the final opportunity for rebuttal at this stage of the case, and asked if there was anyone present who wished to speak.

Mr. Louis P. Eberle, owner of property in the California area, present in the audience, asked to enter a letter written by himself and Mrs. Jennie A. Eberle, his wife, into the record, and proceeded to read this letter aloud. Mr. Eberle's letter contains attached letters from Joseph and Claudia Gondolf, Oran R. Wilkerson, and the Chesapeake Bay Foundation, and asks that a final decision on this project be withheld until the Board is fully satisfied that all conditions specified by the staff and Planning Commission are met; that all of the comments contained in the Gondolf, Wilkerson and Chesapeake Bay Foundation letters have been carefully considered; that the applicant has demonstrated a need for the project; and that sufficient funds are on hand to start the project and to cover the first phase.

Commissioner Aud assured Mr. Eberle that his letter would be considered along with all the letters in this case, and stated that the Commissioners would make a decision in the future, but a decision would not be made until the full Board is in attendance.

Regarding the intervention of the Patuxent River Commission and the Department of State Planning in this case, Mr. Gerred told the Commissioners that he had gone over to the Calvert County Courthouse and examined the file for the Solomons Village Center, a large project in the Solomons area, and said he thought it was important to note that neither the Commission nor State Planning had commented or intervened in that case across the River.

There being no further business in this case, the meeting adjourned at 3:18 p.m.

ADJOURNMENT

The meeting adjourned at 3:10 p.m.

Approved:

  
George R. Aud, President