

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, November 19, 1985

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. Spalding, Recording Secretary

(Commissioner Larry Millison not present.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Arnold moved, seconded by Commissioner Dean, to approve the minutes of the Commissioners' meeting of Tuesday, November 12, 1985 as submitted. Motion carried.

APPROVAL OF BILLS

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

ST. MARY'S COUNTY AIRPORT LEASE

Present: John Paradis, Airport Commission
 Joseph Densford, Assistant County Attorney

Relative to the Temporary Injunction by Lee-Briggs, Inc. regarding the transfer of the lease from Mech-Dyne to Atlantic Airways, Inc., Mr. Densford advised that he represented the County in this case in Court on Friday. He stated that the Judge ruled in favor of the County and with the other defendants in all counts and dismissed the suit against the County. This action would now allow the Board of County Commissioners to approve the transfer of the lease from the current operator, Mech-Dyne, to Atlantic Aero, Inc. as recommended by the Airport Commission.

Commissioner Aud moved, seconded by Commissioner Arnold, to accept the recommendation of the Airport Commission and approve the transfer from Mech-Dyne to Atlantic Aero, Inc. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) BUDGET AMENDMENTS

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

No. 86-25
Board of Education

Justification: To adjust capital accounts concerning education project. Cost overruns as well as savings are indicated on the Amendment.

No. 86-26
Various Departments

Justification: This change order is an addition to Change Order No. 86-17 to reflect the ending carry-forward capital project balance as reflected by the final audited financial statements as of 6/30/85.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign said Amendments. Motion carried.

2) RESOLUTION NO. 85-30
BOARD OF EDUCATION
CAPITAL IMPROVEMENT PROGRAM

Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Resolution No. 85-30, Board of Education Capital Improvement Program for FY 1987 - FY 1992. Motion carried.

3) CANCELLATION OF MEETING

The County Commissioners agreed to cancel the Board's meeting of Tuesday, December 24, 1985, Christmas Eve.

4) DEDICATION/COMPLETION CEREMONY
MD. RT. 235

The County Administrator advised that SHA officials have requested the Board's concurrence in a Dedication/Completion Ceremony for Md. Rt. 235 on December 10, 1985 at 2:00 p.m. at the intersection of Rt. 235 and 4. The Commissioners concurred and requested Mr. Cox to complete the arrangements.

5) NOTIFICATION OF GRANT AWARD
ALCOHOL/DRUG ABUSE PREVENTION

The County Administrator presented the NGA from the State Department of Health and Mental Hygiene for the County's Alcohol/Drug Abuse Prevention Program for the period July 1, 1985 - June 30, 1986.

Commissioner Sayre moved, seconded by Commissioner Dean, to approve and authorize Commissioner President Aud to sign said NGA. Motion carried.

6) POINT BREEZE ROAD
COLTON'S POINT AREA

The County Administrator presented correspondence dated November 18, 1985 from Glenn G. Gass, representing a number of citizens in the Colton's Point area, and a petition expressing the opinion that vehicular access on Point Breeze Road is important.

Therefore, Mr. Cox presented correspondence for the Commissioners' review and signatures stating that the County Commissioners have never entertained the idea of closing this road; has never discussed not repairing the road; and agrees that restoration of the road should be made. The letter further stated that the Department of Public Works has been directed to restore the use of Point Breeze Road as a temporary measure and permanently. The Commissioners agreed to sign and forward said letter.

7) RESOLUTION NO. 85-29
JOINT USE OF WELLS

As a follow up to discussion at last week's meeting, Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Resolution No. 85-29 amending Resolution No. 85-09 by increasing the number of dwelling units from four to six and requiring an annual chemical testing. Motion carried.

8) DEMORE PROPERTY SETTLEMENT

The County Administrator presented the Deed of conveyance to Michael Demore for approximately one-third of an acre adjacent to the Oakville Landfill.

Commissioner Dean moved, seconded by Commissioner Aud, to approve and authorize Commissioner President Aud to sign said Deed. Motion carried.

9) OFFER OF DONATION OF LAND
MARY GOODE

The County Administrator presented copy of correspondence from the County Treasurer transmitting a letter from John P. McAlinden regarding the donation of approximately five acres of land from Mary Goode in the Fifth Election District.

After discussion the Commissioners directed that a letter be written stating that the County appreciates the offer, but does not have a use for the property.

10) PERSONNEL
DEPARTMENT OF PUBLIC WORKS
ENGINEERING TECHINICIAN POSITION

The County Administrator advised that because of development pressures and scheduling problems in the Department of Public Works, it has been deemed necessary for a draftsman position to be created in that department. Authorization is requested for the establishment of an Engineering Technician, Grade 7, position.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve this request. Motion carried.

DEPARTMENT OF ECONOMIC & COMMUNITY AND DEVELOPMENT

Present: Joseph Mitchell, Director
David W. Morgan, Economic Development Coordinator
Frank Gerred, Director, OPZ
Edward R. Curley, Jr.

1) HOUSING REPORT

In response to a request at last week's meeting, the referenced individuals appeared before the Commissioners to present a report on the housing conditions in St. Mary's County. Mr. Mitchell pointed out that a survey was conducted in 1982 by a task force appointed by the Commissioners. The study was entitled A Description of Housing Market Demand and Opportunities in St. Mary's County.

Mr. Mitchell distributed a Summary of Housing Growth in St. Mary's County which reflects the loss of housing units, increase of county population, employment statistics, and number of building permits issued for residential dwelling units. He stated that the County's Affordable Housing Task Force has concluded that there is a housing deficit in St. Mary's County and the IRB application for Patuxent Park West Townhouse units is the right type of housing in the Lexington Park area.

2) RESOLUTION NO. 85-31
PATUXENT PARK WEST TOWNHOUSES

In light of the above-mentioned report, Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign the Inducement Resolution (No. 85-) for issuance of economic development revenue bonds for Patuxent Park West Townhouses. Motion carried.

PUBLIC HEARING
ECONOMIC DEVELOPMENT REVENUE BONDS
ARKO DEVELOPMENT SYSTEMS, LTD.

Present: Joseph Mitchell, Director, Dept. of Economic & Comm. Dev.
David W. Morgan, Economic Development Coordinator
Ulysses J. Montgomery, President, ARKO Dev. Systems
Steven W. DeLauteur, Leftwich Moore & Douglas
Frank Gerred, Director, Office of Planning & Zoning

Also Present: George Gateau, Ronald Schugg, Claude Jarboe, Ingrid and Bill Hebb, Lawrence Caples, Susan Greenwell, Mrs. Jansson, Pat O'Donnell, and other interested citizens.

The Commissioners conducted a public hearing on a Resolution relative to the issuance of economic development revenue bonds for the purpose of financing the acquisition, construction, and equipping of an Aquaculture Production, Processing and Marketing Facility consisting of: fish hatching and production tanks and ponds; fresh/frozen and retort pouch processing plant; mixed agricultural; and fish wholesale market. Locations are as follows: Location #1 - 578 acre Medley Neck Farm, Posey's Bluff; Location #2 - 65 acre Aquafood International Inc Plan in Piney Point; Location #3 - 127 acre Susie C. Burch Farm heirs in Piney Point.

The secretary read the Notice of Public Hearing.

Mr. Montgomery advised the Commissioners that approval of the Inducement Resolution is not being request at this time, but he wanted to review the project, listen to concerns and answer any questions that may be posed.

Mr. Montgomery explained the specifics of the project and pointed out that it appeared at this time that the Burch heir property (Location #3) will not be acquired for this project.

After comments and questions by the Board, Commissioner President Aud opened the floor for questions from the floor.

In conclusion, Mr. Montogomery requested that the Board of County Commissioners give consideration to the adoption of the Inducement Resolution wtihin the next two weeks because of the end-of-the year deadline by the State for allotment of funds. The Commissioners agreed to place this item on the agenda of their December 3 meeting at 10:30 a.m.

(A tape of the above proceedings is on file in the Commissioners' Office.)

PUBLIC HEARING
ROAD NAME CHANGE
ED ROAD TO BAYFRONT DRIVE

Present: John Norris, Director, Department of Public Works
Peter LoMedico, property owner
Audrey Wilkinson, "
Mr. Purson, "

The Commissioners conducted a public hearing to give consideration to re-naming Ed Road, County Route 3411, to Bayfront Drive, located off of Scotland Beach Road, located in the First Election District.

The secretary read the Notice of Public Hearing.

Mr. Norris stated that by correspondence dated September 17, 1985 12-14 property owners had petitioned the County to formally change the name of Ed Road to Bayfront Drive.

Mr. LoMedico advised that the road was named after Capt. Ed who had lived on that road and stated that he was not in favor of changing the road name.

Mr. Purson stated that he was under the impression that the name of the road was Scotland Beach Road and that a prepared map reflects that name. He noted that he was not in favor of having the name of the road as "Ed Road."

Mr. Norris pointed out the inaccuracies of that particular map to Mr. Purson.

During discussion questions were raised as to whether the names on the petition owned property that abutted the road in question, and Mr. Norris responded that he would look into this.

The Commissioners agreed to recess the hearing at this time and to continue it at next week's meeting after Mr. Norris provides the above information.

(A copy of the above proceedings is on file in the Commissioners' Office.)

PROCLAMATION
ADOPTION WEEK

Present: Carol M. Dale
Catherine Swales

The Commissioners presented the referenced Proclamation designating the week of November 24-30 as Adoption Week in St. Mary's County.

PROCLAMATION
ALZHEIMER'S DISEASE AWARENESS WEEK

Present: Freida Hoeg

The Commissioners presented the referenced Proclamation designating the week of December 6 -13, 1985 as Alzheimer's Disease Awareness Week in St. Mary's County.

FY '85 AUDIT
WOODEN & BENSON

Present: Ron Fudge, Wooden & Benson
William Dale Bragunier

The referenced representatives of the accounting firm of Wooden & Benson appeared before the Commissioners to present and review the financial statements of the County for the year ending June 30, 1985. Mr. Fudge went on to highlight certain information in the Audit Report. A copy of the Report is on file in the Commissioners' Office.

At the conclusion of the presentation by Wooden & Benson, the Commissioners distributed a Press Release advising that the auditors have reaffirmed that County government continues to be fiscally sound and setting forth some of the more notable achievements in FY '85.

DEPARTMENT OF PLANNING & ZONING
REZONING PUBLIC HEARING
ZONE #85-0880
ZONE #85-1019
H.T. WARING

Commissioners present: George Aud, Ford Dean, David Sayre, and Richard Arnold. Commissioner Larry Millison was absent. Staff present included: Frank J. Gerred, Director, Robin Guyther, Planner, and Anita M. Meridith, Recording Secretary.

Members of the audience included: Judy Landau and King Clarke.

Mr. Guyther read the Notice of Public Hearing aloud, as advertised in The Enterprise newspaper, a publication of county-wide circulation, on Wednesday, October 30, 1985, providing legal notice for the following public hearing(s):

ZONE # 85-0880: H. T. WARING

Requesting rezoning of 1.77 acres from R-2, Low Density Urban Residential, to C-2, Commercial. The property is located on Maryland Route 235, California, adjacent to the Patuxent Inn, Eighth Election District shown on Tax Map 43, as Parcel 5.

Entered into evidence, marked Applicant's No. 1, find postal receipts from the certified letters of notification sent to all contiguous property owners, providing legal advisement of this public hearing. The complete Planning Commission record was formally entered into the proceedings.

Mr. Guyther advised that in this case, the Planning Commission had recommended an approval with the condition that the site be accessed from the existing entrance at the Patuxent Inn. Included in the members briefing packages, was a map depicting the neighborhood, previously submitted by the applicant. Staff advised that said map had been accepted as an adequate description of the neighborhood. Said exhibit also included information relative to specific changes within that defined area.

The applicant, Mr. H. T. Waring, advised that he was seeking rezoning of this contiguous parcel in order that he could enlarge the existing facilities at the Patuxent Inn by adding banquet and meeting facilities, forty (40) rooms and sauna. Mr. Waring advised that this expansion was being contemplated in order that his operation would remain competitive with other neighboring services.

The subject parcel is that land situated between the Patuxent Inn and the Hickory Hills Shopping Center.

The Chair inquired whether anyone present wished to speak.

Ms. Judy Landau, of Radio Station WKIK, asked what was the time frame for this expansion. Mr. Waring responded that it would be immediate, pending rezoning approval, as all architectural design, etc. had been completed. Projected date of completion was given as Spring of '87.

Commissioner Arnold asked the applicant whether he had any concerns with regard to restriction of the existing entrance. Mr. Waring responded that the original concept had taken future expansion/use into consideration and the existing entrance had been built accordingly (to provide access for the entire strip).

Hearing no further testimony, the hearing was closed and the matter taken under consideration.

ZONE # 85-1019: H. T. WARING

Requesting rezoning of 2.07 acres from R-2, Low Density Urban Residential, and C-1, Commercial, to C-2, Commercial. The property is located on Maryland Route 246, Great Mills Road, adjacent to Southern Mobile Home Park, Eighth Election District, shown on Tax Map 51, Block 3 as Parcel 373.

Entered into evidence, marked Applicant's No. 1, find postal receipts from the certified letters of notification sent to all contiguous property owners, providing legal advisement of this public hearing. The complete Planning Commission record was formally entered into these proceedings.

Mr. Guyther advised that this site was adjacent to, and west of, the Southern Mobile Home Park. The applicant previously submitted a map which he advised depicted the neighborhood in addition to other correspondence which outlined the numerous changes in the neighborhood. The proposal is to construct personal storage warehouses on the property.

Mr. Guyther advised that due to the existing traffic situation on the Great Mills Road, realizing that this proposal was a very low generating type of use, the Planning Commission opted to adopt the staff's recommendation for approval, with the proviso that certain uses permitted in the C-2 zone be prohibited: Gas and go stations; multiple family dwelling units (R-15); automobile filling stations; automobile sales and services; drive-in eating and drinking establishments (specifically fast-food stores); multiple family dwelling units (R-30); and further provision that the applicant be required to design an entrance that would meet with the approval of the Office of Planning and Zoning.

Mr. Waring advised that depending on the density, he anticipated putting approximately 500 individual storage compartments on this two acre site, a mix of perhaps 8 to 10 different sized compartments. Mr. Waring advised that he was amenable to those stipulated restricted uses.

The Chair questioned whether anyone had any questions or comments relative to this proposal. Hearing no response, the hearing was closed and the matter taken under consideration.

ST. MARY'S PUBLIC SCHOOLS
FY '86 COMPREHENSIVE MAINTENANCE PLAN

Present: Dennis Younkin, Director, Fiscal & Admin. Services
Brian Law, Public Schools

The referenced representatives of St. Mary's Public Schools appeared before the Commissioners to present and review the Public Schools' FY '86 Comprehensive Plan. Mr. Young highlighted the goals and line of responsibility, priorities, budget, etc.

After discussion, Commissioner Aud moved, seconded by Commissioner Sayre, to accept the Comprehensive Plan as submitted. Motion carried.

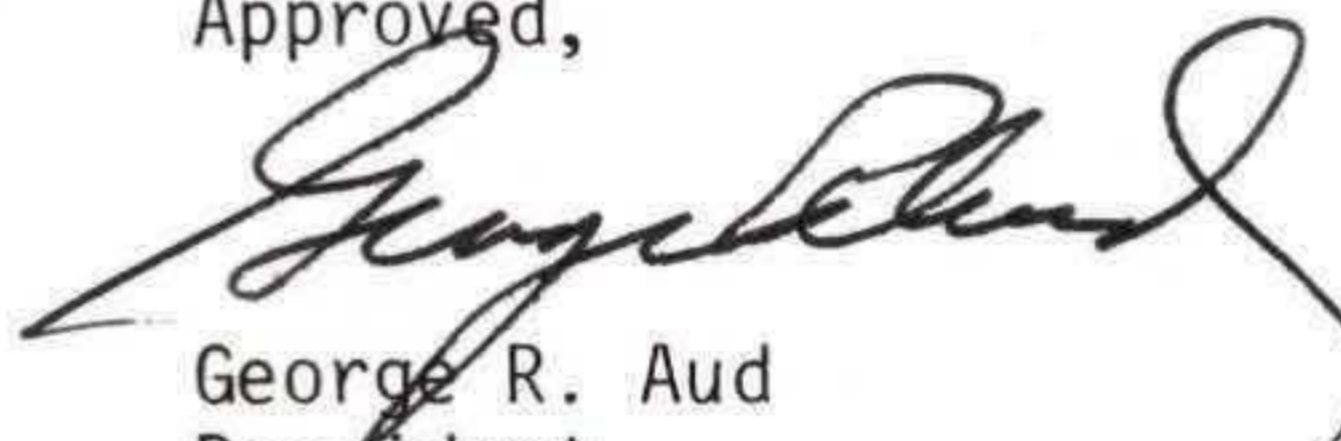
EXECUTIVE SESSION

Commissioner Aud moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss a matter of Personnel. The Session was held from 1:50 p.m. to 2:30 p.m.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

Approved,



George R. Aud
President