

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, July 22, 1986

Present: Commissioner George R. Aud, President
 Commissioner Ford L. Dean
 Commissioner David F. Sayre
 Edward V. Cox, County Administrator
 Judith A. Spalding, Recording Secretary

(Commissioners Arnold and Millison were not present due to illness.)

CALL TO ORDER

The meeting was called to order at 10:35 a.m.

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the minutes of the Commissioners' meeting of Tuesday, July 15, 1986.

APPROVAL OF BILLS

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

OFFICE OF PLANNING AND ZONING
I & A SEWAGE DISPOSAL SYSTEMS

Present: Frank Gerred, Director

Mr. Gerred presented the Scope of Services from the University of Maryland to do a study on the solar drive Innovative and Alternative Sewage disposal system and stated that he is awaiting receipt of the signed Agreement with the State Health Department for funding. Therefore, Mr. Gerred requested authorization for Commissioner President Aud to sign the Agreement when it is received from the State.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve the Scope of Services by the University of Maryland College of Engineering and authorize Commissioner President Aud to sign the Agreement upon receipt from the State Health Department. Motion carried.

EXECUTIVE SESSION

Present: Frank Gerred, Director, OPZ
 Edward V. Cox, County Administrator

Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session to discuss a matter of land acquisition. Motion carried. The Session was held from 10:55 a.m. to 11:20 a.m.

RECREATION AND PARKS

Present: John V. Baggett, Director

1) PARK HALL DAY CARE CENTER

Mr. Baggett informed the Commissioners that he will be closing down the Park Hall Day Care Center in that the school will be needed that space; however, the Callaway Baptist Church will be making facilities available for this program on August 1.

2) ST. CLEMENTS ISLAND BOAT SERVICE

Relative to previous discussion on the referenced matter, Mr. Baggett advised that Capt. Doyle has backed out of the contract for boat service because his boat is not able to be repaired. Therefore, Mr. Baggett requested authorization from the Board to negotiate a contract for the boat service. He stated that correspondence has been forwarded to the Department of Natural Resources from Tri-County Council confirming that State funds in the amount of \$4200 is being made available to St. Mary's County for the boat service to the Island.

Commissioner Dean moved, seconded by Commissioner Sayre, to authorize Mr. Baggett to negotiate a contract for boat service to St. Clements Island. Motion carried.

3) BULKHEAD FOR ST. INIGOES BOAT RAMP

Mr. Baggett advised that bids were solicited for the construction of a 150 foot bulkhead at St. Inigoes boat ramp (including completion of drawings and specifications and obtaining all permits) only one bid was received; namely, Colliflower and Peterson in the amount of \$24,900. Mr. Baggett indicated that the project is grant funded and recommended that the Board accept the bid from Colliflower and Peterson.

Commissioner Sayre moved, seconded by Commissioner Dean, to accept Mr. Baggett's recommendation. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

BUDGET AMENDMENTS

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

No. 86-52
Public Works

To adjust capital project accounts at year's end and as fiscal review requires for Department of Public Works.

No. 86-53
Airport Commission

To provide budget authority to pay Commissioner-approved commitment up to \$25,000 relative to Atlantic Airways ticket subsidy.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign the referenced Budget Amendments as presented. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: John Norris, Director

1) PUBLIC WORKS AGREEMENT
CEDAR COVE SUBDIVISION, SECTION III

Mr. Norris presented a Public Works Agreement dated July 7, 1986 by and between J. Laurence Millison and St. Mary's County guaranteeing completion of the roads in Cedar Cove Subdivision, Section III, Eighth Election District, by July 1, 1987. The Agreement is backed by an Irrevocable Letter of Credit in the amount of \$427,500.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the Public Works Agreement as presented. Commissioner Aud abstained. Motion carried.

2) PUBLIC WORKS AGREEMENT
HARROW HILLS SUBDIVISION, SECTION C

Mr. Norris presented a Public Works Agreement dated July 18, 1986 by and between Alfred Gardiner and Board of County Commissioners of St. Mary's County guaranteeing the completion of the roads in Harrow Hills Subdivision, Section C, by July 18, 1987. The Agreement is backed by a Letter of Credit in the amount of \$60,700.

Commissioner Dean moved, seconded by Commissioner Sayre, to approve and authorize Commissioner President Aud to sign the Agreement as presented. Motion carried.

3) PUBLIC WORKS AGREEMENT
INDIAN RIVER ESTATES SUBDIVISION, SECTION 4

Mr. Norris presented a Public Works Agreement dated May 29, 1986 by and between Accent Homes, Inc. and St. Mary's County, Maryland guaranteeing the completion of roads in Indian River Estates Subdivision, Section 4, Fifth Election District, by December 1, 1987. The Agreement is backed by a Letter of Credit in the amount of \$84,000.

4) ROAD RESOLUTION NO. R87-1
CHANGES/CORRECTIONS - COUNTY HIGHWAY MAINTENANCE SYSTEM

Mr. Norris presented Road Resolution No. R87-1 setting forth certain changes and/or corrections in the County Highway Maintenance System (Attachment A - Route Number Changes; Attachment B - Route Length Changes; Attachment C - Route Name Changes; Attachment D - Routes to be Eliminated).

Commissioner Dean moved, seconded by Commissioner Aud, to approve and sign Road Resolution No. R87-1 as set forth above. Motion carried.

5) RESOLUTION NO. 86-19
ST. MARY'S COUNTY HIGHWAY MAINTENANCE SYSTEM
ROADDATA INDEX

Mr. Norris presented a proposed Resolution which establishes the St. Mary's County Highway Maintenance System Roaddata Index.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to approve and sign Resolution No. 86-19 adopting the Roaddata Index which incorporates all streets and roads currently maintained as part of the County Highway Maintenance System.

6) WAIVER OF RUBBLE LANDFILL FEES

Mr. Norris advised that there is an element in the Rubble Landfill Regulations which would allow the County to accept materials that would be beneficial to the County. He stated that there is a site under construction on Rt. 235 (car wash establishment) that would bring the County fill dirt to cover the landfill. The value of the dirt is approximately \$6,000 - \$8,000. The developer has requested a waiver of the rubble landfill fee for exchange of the fill dirt.

In addition, Mr. Norris stated that the Department of Natural Resources has requested a waiver of the fee for the month of May for approximately \$500 worth of rubble from the public piers at Coltons Point and St. Clements Island.

After discussion, Commissioner Sayre moved, seconded by Commissioner Dean, to approve the waiver of the fees as set forth above. Motion carried.

7) WATER RESOURCES ADMINISTRATION
FLOOD AREAS ACQUISITION PROGRAM

Mr. Norris advised the Commissioners of a Water Resources Administration Program where in WRA would participate on a 50-50 basis with the County for the purchase of those properties in the flood planes where there is no practical design or construction solution. The properties would be turned into open space. Mr. Norris inquired whether the County would be interested in participating in such a program. The Commissioners agreed to take the matter under advisement.

SPEC #85-1551 - REGULATIONS FOR MINOR SUBDIVISIONS

Present: Frank Gerred, Director, Office of Planning and Zoning
Robin Guyther, Planner, OPZ

Mr. Gerred presented a proposed Resolution which would amend the Zoning Ordinance and Subdivision Regulations with regard to Minor Subdivisions for review by the Board.

During discussion, Mr. Gerred offered a suggested change to the proposed Resolution to allow an individual to build on lots with private rights-of-way if the right-of-way was recorded in the Land Records prior to the Resolution being adopted. The Commissioners concurred.

The Commissioners agreed to review the document further and make a decision at next week's meeting.

WICOMICO SHORES STUDY COMMITTEE

Present: Joseph Mitchell, Director, Economic & Community Development
Steve King, Metropolitan Commission
Joseph Densford, Assistant County Attorney
John Wood

The referenced individuals appeared before the Commissioners to request the Commissioners authorization to accept the proposal from Kidde Contractors to perform an engineering study to determine costs and type of waste water treatment to be provided for Wicomico Shores in the amount of \$14,975.

Mr. Mitchell reviewed the history of the project stating that the Commissioners had formed the Committee to work with Wicomico Shores regarding the establishment of a special taxing district for water/sewer lines and road repairs. The Commissioners had authorized a study to be conducted by the Metropolitan Commission, with the County providing funds which would be paid back out of the proceeds of the taxing district. Mr. Mitchell pointed out that the developer had agreed to indemnify the County for costs incurred up to \$15,000; however, should the costs be higher, the developer has agreed to indemnify the County up to \$25,000.

After discussion, Commissioner Dean moved, seconded by Commissioner Sayre, to approve and award the contract to Kidde Contractors in the amount of \$14,975. Motion carried.

CAPE ST. MARY'S CIVIC ASSOCIATION

Present: Joseph Densford, Asst. County Attorney

Commissioner Dean advised that correspondence dated July 15, 1986 was received from the Cape St. Mary's Civic Association expressing concern that a trailer will be placed on Lot 24, Section A of St. Mary's Subdivision in Sandgates. The property owners are concerned about the aesthetics and property values should a trailer be put on that lot and referred to a covenant in the Deeds to the properties in that subdivision that prohibit that type of structure. Commissioner Dean requested the County Administrator to prepare a response to the Civic Association.

EXECUTIVE SESSION

Present: John Norris, Director, Department of Public Works
Joseph Densford, Assistant County Attorney

Commissioner Dean moved, seconded by Commissioner Sayre, to meet in Executive Session in order to discuss a matter of property acquisition. Motion carried. The Session was held from 12:15 p.m. to 1:00 p.m.

OFFICE OF PLANNING AND ZONING
PUBLIC HEARING
ZONE #86-0951

Present: Frank Gerred, Director, OPZ
Robin Guyther, Planner, OPZ
Joseph Densford, Asst. County Attorney (Hearing Officer)

(Requesting rezoning of 1/2 acre from R-2, Low Density Urban Residential to C-2, Commercial. The property is located off of Md. Rt. 246, Great Mills Road (Sanner Property) in the Eighth Election District, shown on Tax Map 51, Block 3 as part of Parcel 158.)

The public hearing was opened by Joseph Densford, hearing officer appointed by the Board of County Commissioners. Mr. Densford announced that the hearing will be postponed until Tuesday August 12 because public notices had not be sent to adjacent property owners.

ADJOURNMENT

The meeting adjourned at 1:00 p.m.

Approved,


George B. Aud
President