

BOARD OF COUNTY COMMISSIONERS' MEETING

Wednesday, December 29, 1976

Present: Commissioner James M. McKay, President
Commissioner Ford L. Dean
Commissioner J. Patrick Jarboe
Commissioner Larry Millison
Commissioner John K. Parlett
Judith A. Mullins, Recording Secretary

The meeting came to order at 8:55 a.m.

READING AND APPROVAL OF MINUTES

The minutes of December 22, 1976 were read and corrected. Commissioner Jarboe made a motion to approve the minutes as corrected, seconded by Commissioner Dean. All Commissioners voted in favor.

ENCUMBRANCE VOUCHERS

Present: Harris Sterling, Director of Finance

Mr. Sterling presented the encumbrance vouchers for the Commissioners' review and approval. Commissioner Dean made a motion to approve payment of the bills as submitted, seconded by Commissioner Parlett; all Commissioners voted in favor.

EXECUTIVE SESSION

Present: Joseph Ernest Bell, II, County Attorney

The Commissioners agreed to meet in Executive Session in order to discuss matters of litigation and personnel. The Session was held from 9:30 a.m. to 10:45 a.m.

CHANGE ORDER FOR HELIPORT

Present: John Norris, County Engineer

The County Engineer requested authorization for a Change Order for the Heliport to provide additional excavation as foundation for the concrete pad.

Commissioner Jarboe made a motion to authorize the above Change Order, in an amount not to exceed \$1,000, seconded by Commissioner Dean. All Commissioners voted in favor.

STATE HIGHWAY GUARDRAIL PROJECT

Present: John Norris, County Engineer

The County Engineer advised the Commissioners that the State Highway Administration received bids on the installation of guardrails on certain County roadways and that the lowest bid was in the amount of \$69,780. Based on that bid, the County's share of the project is \$16,831. Therefore, Mr. Norris presented Voucher No. 10536 payable to the State Highway Administration in the amount of \$16,831 for the Commissioners' approval.

Commissioner Jarboe made a motion to approve said Voucher, seconded by Commissioner Dean. All Commissioners voted in favor.

DEED FOR WILLOW BROOK ESTATES

The County Engineer submitted the Deed for certain roads in Willow Brook Estates into the County Highway Maintenance System.

Commissioner Jarboe made a motion to accept the Deed dated December 6, 1976 by and between Ralph H. Guenther and Daniel J. Guenther and St. Mary's County for certain roadways in the Willow Brook Estates, seconded by Commissioner Millison; all Commissioners voted in favor.

ROAD RESOLUTION NO. 77-18
CLOVERHILL MACINTOSH ROAD

Present: John Norris, County Engineer

Mr. Norris advised the Commissioners that during the Highway Adequacy Rating Study conducted by Dr. Hall of the University of Maryland, Mr. Hall brought to his attention the hazardous conditions existing on the bridge on Cloverhill MacIntosh Road. Therefore, Mr. Norris presented Road Resolution No. 77-18, restricting the weight limit to 11,000 pounds and speed limit to 25 miles per hour on Bridge No. SM-002 on the Cloverhill MacIntosh Road over MacIntosh Run, as recommended by the State Highway Administration.

Commissioner Parlett made a motion to approve said Resolution No. 77-18, seconded by Commissioner Jarboe; all Commissioners voted in favor.

ROAD RESOLUTION NO. 77-19
ST. MARY'S AVENUE

Present: John Norris, County Engineer

Mr. Norris presented Road Resolution No. 77-19 designating St. Mary's Avenue Fifth Election District as a Stop Street as it intersects with Old Route 5. Commissioner Jarboe made a motion to approve this Resolution, seconded by Commissioner Parlett. All Commissioners voted in favor.

ROAD RESOLUTION NO. 77-20
ESSEX SOUTH SUBDIVISION

Present: John Norris, County Engineer

The County Engineer presented the above-referenced Resolution, rescinding Road Resolution No. 76-21 which was prepared incorrectly in accordance with Maryland State Police's recommendation dated June 24, 1976. Said Resolution designating Stop Streets at the following intersections in Essex South Subdivision:

1. Stop sign on Thomas Road Extended, at its intersection with Morris Drive, making Morris Drive the thru road;
2. Stop sign on Thomas Road, at its intersection with Essex Drive South, making Essex Drive South the thru road;
3. Stop sign on Thomas Road, at its intersection with Lynn Drive, making Lynn Drive the thru road;
4. Stop sign on Williams Drive, at its intersection with Lynn Drive, making Lynn Drive the thru road;
5. Stop sign on Bryan Road, at its intersection with Lynn Drive, making Lynn Drive the thru road;
6. Stop sign on Bryan Road, at its intersection with Williams Drive, making Williams Drive the thru road;
7. Stop sign on Williams Drive, at its intersection with Lynn Drive, making Lynn Drive the thru road;

Commissioner Millison made a motion to approve the above Resolution, seconded by Commissioner Dean. All Commissioners voted in favor.

PINE HILL RUN ROAD

Present: John Norris, County Engineer

The County Engineer stated that Mr. Marlay, Director, Metropolitan Commission was requested to provide a deed for the Pine Hill Run Road in order for the road to be put into the County Highway Maintenance System. Mr. Norris stated that he would prepare the necessary documents and return to the Commissioners with same.

BUSY CORNER ROAD
ST. JOSEPH'S CEMETERY

Present: John Norris, County Engineer

Mr. Norris presented a request from the Bicentennial Commission that the County Engineer's Office (Landfill Force) assist the Bicentennial Commission in cleaning up the brush piled up along Busy Corner Road near Route 5 at Morganza.

Commissioner Jarboe made a motion to allow the Landfill Force to dispose of brush material at St. Joseph's Cemetery, seconded by Commissioner Parlett. All Commissioners voted in favor.

COUNTRY LAKES SUBDIVISION ROAD BONDING

The County Engineer discussed the June 1, 1976 letter to Ben Burroughs relative to the road bonding for Country Lakes Subdivision. The Commissioners agreed to further discuss the bonding situation at next week's meeting.

DUKEHART'S CREEK PROJECT

Present: John Norris, County Engineer

Commissioner Parlett stated that at the last Firehouse Chat in the Se enth District, several residents requested that the State Department of Natural Resources come to St. Mary's County for a meeting concerning the Dukehart's Creek Dredging and Jetty Project to determine if the State will take any action. The State had previously advised that they would not participate any further in this project unless the County would share in the funding on a 50-50 basis.

In order to arrive at a final resolution to this matter, the Commissioners directed the County Engineer to arrange a meeting with the residents, the County Commissioners, and the State.

PUBLIC HEARING

PRE-APPLICATION FOR HUD COMMUNITY DEVELOPMENT BLOCK GRANT

Present: Donald Curtis, Housing Coordinator
 Mike McCauley, Director, Housing Services, TCCAC
 Joseph Forrest

The Commissioners conducted a Public Hearing on the Pre-Application for a HUD Community Development Block Grant under Title I of the Housing and Community Development Act of 1974. A tape of the Hearing is on file in the Commissioners' Office.

SOUTHGATE PARK TOWNHOUSE PROJECT
FINALIZED DEVELOPMENT PLAN

Present: Joe Garner, Zoning Technician
 John Imbres, President, FDF, Inc.
 Charles Pessagno
 Mark Burroughs
 Jim Kenney, Attorney

Mr. Kenney presented the Finalized Development Plan for the above-referenced project to the Board of County Commissioners for their review and approval as required by Article 10.20 of the St. Mary's County Zoning Ordinance. All appropriate county agencies have approved and signed this Plan and it is the recommendation of the Planning Commission that the Commissioners approve the Final Plan.

After discussion, Commissioner Dean made a motion to accept the presented Finalized Development Plan for Southgate Park Townhouse Project, seconded by Commissioner Parlett. All Commissioners voted in favor.

SOUTHGATE PARK - SECTION I
PUBLIC WORKS AGREEMENT

Mr. Kenney presented the executed Public Works Agreement for Section I of the Southgate Park Townhouse project with appropriate bonding. After discussion, Commissioner Dean made a motion to accept the Public Works Agreement between FDF, Inc. and St. Mary's County, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

ECONOMIC IMPACT FEE - SOUTHGATE PARK

Mr. Imbres, President of FDF, Inc., requested consideration by the Board of County Commissioners for relief of the Economic Impact Fee for this project for the following reasons:

1. That they have made certain contributions to the County in the form of park land;
2. That they had changed the development design to a townhouse rather than the previously approved mobile park;
3. That they have designed a storm water drainage system that is over and beyond any County requirements.

Mr. Imbres was requested to develop documentation with regard to the above for the Commissioners' review, after which time the Commissioners will make a determination on this request.

ENCROACHMENT ON COUNTY RIGHT-OF-WAY
BRUBACHER SUBDIVISION

Commissioner Dean made a motion to forward letters to Mr. Richard Hyde and Mr. L. W. Burgess in reference to the matter of encroachment on the County right-of-way in Brubacher Subdivision, seconded by Commissioner Parlett. All Commissioners voted in favor of this motion.

PUBLIC OFFICIAL LIABILITY INSURANCE

Mr. Sterling, Director of Finance submitted the form for Proposal for Public Official Liability Insurance to be signed by the Commissioners in order to solicit proposals for this insurance. The Commissioners signed same.

SCHEDULE OF FEES

After review and recommended changes to the Schedule of Fees as presented by the Office of Land Use and Development, Commissioner Dean made a motion that the County keep the same Building Permit Fee Schedule as is currently in effect, with the following exceptions;

1. In the first category, that the size limitation of 100 square feet be changed to 300 square feet;
2. In the second category, that a basement be defined as anything which is 75% or more below grade;
3. In the sixth category, add the words "and tennis courts";
4. In the eighth category, that the size limitation be changed from 100 square feet to 144 square feet;
5. In the twelfth category, that the size limitation be changed from 100 square feet to 144 square feet and that there be no fee charged for a demolition permit;

Commissioner Jarboe seconded the motion; all Commissioners voted in favor.

Commissioner Dean made a motion that the County keep the same Occupancy Fee Schedule with the exception of the following changes:

1. In the first category, Single Family Dwelling, add the words "where required";
2. That the fee for Duplex Structure be established at \$3.00 per unit;
3. That the fee for Home Occupations be established at \$10.00;
4. In the seventh category, strike the words "trailer parks";
5. In the thirteenth category, strike the words "per percentage of expansion";

Commissioner Jarboe seconded the motion; all Commissioners voted in favor.

The Board of County Commissioners directed the County Engineer and Director of Land Use and Development to review the remaining fee schedules prior to the Commissioners taking action.

REZONING CASE NO. 76-4 WILLIAM E. RITTER

The Commissioners discussed the above-referenced rezoning case and Commissioner Dean stated that a review of this case raises several questions about the zoning of certain parcels along Great Mills Road at the time of the adoption of the Zoning Ordinance on May 28, 1974. In light of the questions raised, the Commissioners deferred action on this rezoning case until they receive reports from the Director of Land Use and Development and the County Planner which will evaluate development along Great Mills Road and present alternatives for controlling future development along said roadway so as not to impair its service as a roadway.

EXECUTIVE SESSION

The Commissioners agreed to meet in Executive Session in order to discuss personnel matters. The Session was held from 3:30 p.m. to 5:10 p.m.

The meeting adjourned at 5:10 p.m.

APPROVED BY,


James M. McKay, President
County Commissioners