

BOARD OF COUNTY COMMISSIONERS MEETING

Tuesday, January 3, 1984

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 Vice-President Larry Millison was not present.)

APPROVAL OF MINUTES

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' meeting of Tuesday, December 20, 1983 and the Special Meeting of Thursday, December 29, 1983. Motion unanimously carried.

Commissioner Aud moved, seconded by Commissioner Arnold, to approve the minutes of the Commissioners' Rezoning Public Hearing on December 13, 1983. Three Commissioners voted in favor, with Commissioner Dean abstaining. Motion carried.

APPROVAL OF BILLS

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

OFFICE OF COUNTY ENGINEER ITEMS

Present: John Norris, County Engineer

1) BUSHWOOD WHARF PROJECT

Mr. Norris advised that the property dispute on this project has not been resolved and further, the Department of Natural Resources has not agreed to pay for survey work. Mr. Norris suggested that the Budget Officer be authorized to transfer funds into the Marine Account in order to pay for survey work so that the property dispute can be resolved. A determination would be made to the best of the surveyor's knowledge as to the property lines, which, he stated would be difficult. It was agreed that the County Attorney would be requested to meet with the Commissioners and the County Engineer to discuss this matter in Executive Session next week.

2) OPTION AGREEMENT
PURCHASE OF LAND - ROUTE 235

Mr. Norris advised that the State Highway Administration is requesting St. Mary's County to sign an Option Agreement in the amount of \$600.00 to purchase a small tract of land adjacent to Route 235 for the installation of a Storm Water Management pond. This is in connection with the Route 235 dualization project.

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

OFFICE OF COUNTY ENGINEER ITEMS (Continued)

3) PUBLIC WORKS AGREEMENT/IRREVOCABLE LETTER OF CREDIT
GREENVIEW KNOLLS SUBDIVISION

Mr. Norris presented the Public Works Agreement, with accompanying Irrevocable Letter of Credit in the amount of \$60,000, by and between James Dobry and Dobry Construction Company and the Board of County Commissioners of St. Mary's County for the completion of Military Lane and Church Drive in Greenveiw Knolls Subdivision. The County Engineer requested the Board's approval pending review and approval by the County Attorney of a contract with Copenhagen Asphalt Co. and Mr. Dobry for the patching and repair of the roads.

Commissioner Arnold moved, seconded by Commissioner Sayre, to approve and authorize President Aud to sign said Public Works Agreement and the Letter of Credit, pending the County Attorney's approval. Motion unanimously carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administator

1) CORRESPONDENCE
COUNTRY LAKES SUBDIVISION

The County Administrator presented correspondence for the Commissioners' review and signatures advising that the issuance of building permits for Section III, Country Lakes, is in conformance with the Addendum to Public Works Agreement for Country Lakes P.U.D. and Extension Agreement. The Commissioners agreed to sign and forward said letter.

2) APPOINTMENT
COMMISSION ON AGING

Commissioner Aud moved, seconded by Commissioner Sayre to reappoint Leroy Thompson to the Commission on Aging for a term to expire June 30, 1986. Motion unanimously carried.

3) DRAFT RESOLUTION
TEXT AMENDMENT TO ZONING ORDINANCE
(Definitions)

On behalf of the Director of Planning & Zoning, the County Administrator presented a draft resolution amending the Zoning Ordinance regarding definitions for Child Care Center and Mobile Homes. The Commissioners concurred with the draft and requested that it be prepared in final form for presentation next week.

4) REQUEST FOR WAIVER OF BUILDING PERMIT FEE
VETERANS OF FOREIGN WARS

The County Administrator presented correspondence dated December 1, 1983 from the Veterans of Foreign Wars requesting waiver of the building permit fee for the construction of a storage room addition.

Inasmuch as the request is in compliance with Resolution No. 75-53, Commissioner Aud moved, seconded by Commissioner Dean, to approve the request for building permit fee waiver. Motion unanimously carried.

COUNTY ADMINISTRATOR ITEMS (Continued)

5) PERSONNEL
PATROLMAN - SHERIFF'S DEPARTMENT

The County Administrator presented a memorandum dated January 3, 1984 from the Personnel Officer advising that the Sheriff had tentatively selected Earleen Wentworth to fill the vacant Patrolman position (grade 12) pending completion of a satisfactory physical examination.

Commissioner Dean moved, seconded by Commissioner Arnold, to approve the referenced appointment as set forth above, effective January 23, 1984. Motion unanimously carried.

COMPUTER SCIENCE TECHNICAL TRAINING

Commissioner Arnold stated that several items of correspondence have been received recently inquiring as to the possibility of undergraduate technical science courses being made available locally and suggested that the County look into the possibility of offering such courses.

The County Administrator was directed to prepare correspondence to Special Joint Committee on Technological Education inquiring as to their progress in pursuing the development of these type courses in the area.

TRI-ANNUAL ASSESSMENT
(FARM LAND ASSESSMENT)

Commissioner Dean apprised the Commissioners of the tri-annual assessment process which stipulates that if an individual has a farm/woodland but no management plan or active agriculture, the "farmland" assessment is removed and it is appraised at a "fair market value" which is an increase. Commissioner Dean suggested correspondence be drafted to the State Assessment Office inquiring if this assessment practice is regulatory or statutory. If it is statutory, Commissioner Dean recommended that our Legislative Delegation be contacted advising that this method is incorrect and inappropriate. The Commissioners gave their concurrence.

WALDEN-SIERRA CORPORATION - ANNUAL REPORT

Present: Dr. Patricia Hawkins, Director
Sue Gelrud, President
Kathy O'Brien, Board Member
Lanny Lancaster, Board Member
Father Eamon Dignan, Board Member
Patty Runco, Board Member

Representatives of the Walden-Sierra Corporation appeared before the Commissioners to present and review the annual report for the Walden-Sierra Corporation, Inc. (A copy of the Report is on file in the Commissioners' Office.) Mrs. Gelrud gave a brief overview of the year's activities from the establishment of the corporation to its services and accomplishments.

Dr. Hawkins commented on the various programs of the Walden-Sierra, including prevention and counseling, and discussed some of the plans for the future.

In closing their presentation, the representatives indicated their appreciation for the Commissioners' support of Walden.

The Commissioners thanked the representatives for the report and commended them for their commitment to the Corporation and wished them continued success in the future.

PATUXENT RIVER NAVAL AIR STATION
ACTIVITIES REPORT

Present: Capt. R.I. Heisner, Commanding Officer, NAS
Lt. Mark Lee, Legal Officer, NAS
Doug Olauson, Chaplain (Spouse Abuse Program NAS)
Mike Marlay, Community Affairs, NAS
Virginia Sullivan, Housing, NAS

Capt. Heisner and other representatives of the Patuxent River Naval Air Station appeared before the Commissioners to present an update of activities on the Navy Base. Capt. Heisner advised that the base's mission remains unchanged, which is to test and evaluate Navy aircraft and its systems. By way of slide presentation, Capt. Heisner reviewed various aspects of the Naval Air Station including: Major tenant activities; aircraft test projects; personnel statistics; projected programs. With regard to AICUZ (Aircraft Installation Compatibility Zone), Capt. Heisner indicated that the Navy has recently revalidated its data and information and with a few minor exceptions, the patterns and zones appear to remain unchanged. He stated that NAS is currently working with NESEA in developing an Aircraft Influence Zone.

Representatives of NAS presented an update on the following Programs on the Station:

Olauson: Reviewed the activities and progress of the Spouse Abuse Program at NAS and advised that the Navy strongly supports the community's efforts in developing a similar program.

Lee: Reviewed the Drug and Alcohol Abuse Program on the Base, including prevention and discipline measures.

Sullivan: Reviewed the progress of the Housing Relocation Program and discussed the status of the demolition of St. Mary's Garden Apartments and reconstruction of new units. She advised that a survey will be completed relative to the need for mobile home units for Navy Housing.

In closing, Capt. Heisner expressed appreciation on behalf of the Navy for the cooperation and support received by the County. He informed the Commissioners that his Change of Command will be June 11, 1984.

The Commissioners thanked Capt. Heisner and the NAS representatives for their report and assured the County's continued support and that the cooperation has been a mutual effort.

PUBLIC HEARING - REZONING
ZONE # 83-1412 - TEXT AMENDMENTS TO ZONING ORDINANCE
(CLUSTER DEVELOPMENTS)

Present: Commissioner George R. Aud, President
Commissioner Ford L. Dean
Commissioner David F. Sayre
Frank Gerred, Director, Office of Planning and Zoning
Anita Meridith, Recording Secretary

(Commissioner Arnold was not present.)

(A proposal to amend the Zoning Ordinance and Subdivision Regulations to allow clustering of dwelling units in Residential zoning districts. The proposal would allow the owner of land to create smaller lots on a parcel of land if the remainder of the land is put into permanent open space. In addition, if a cluster subdivision is proposed, the Planning Commission may allow an increase in net density of up to 20%. All proposals for clustering must be advertised, adjoining property owners notified, and the Planning Commission will hear the proposal at a public hearing.)

PUBLIC HEARING - REZONING
ZONE #83-1412 - TEXT AMENDMENTS TO ZONING ORDINANCE
(CLUSTER DEVELOPMENTS) (CONTINUED)

Advertisement of this public hearing appeared in the Enterprise Newspaper, a publication of county-wide circulation, on Wednesday, December 14, 1983.

The notice of publication was entered into the record, with Mr. Gerred explaining that this provision would allow clustering in all of the districts where residential use was permitted. It is designed to allow greater flexibility with less cost to the developer, consumer, and to the County in terms of maintenance once the County takes over the public facilities. Staff explained that this provision was very similar to other ordinances in other parts of the state; hence, staff was assured that it did comply with State Law in terms of the planning law.

Mr. Gerred noted that all of the Commissioners had received copies of the proposal submitted by the Systems Review Committee which had been recommended for approval by the Planning Commission. The members of the subject committee were comprised of an attorney, surveyors, developers, and members of the Planning Commission.

Mr. Gerred indicated that the Planning Commission had requested that the County Attorney review the proposal to assure that the text was legally sufficient/appropriate in terms of text language.

Commissioner Dean offered that he had no problems with the proposal and would support the concept of allowing for clustering.

Mr. Gerred injected that the proposal would allow for a 20% bonus (20% density bonus) which would hopefully encourage this type of clustering technique.

For the official record, Commissioner Aud inquired whether anyone wished to speak to this proposal. There was no response.

Hearing no further commentary, the Chair closed the hearing and advised that the Board would take the matter under consideration and would render a decision in the near future.

ELECTRICAL AND PLUMBING INSPECTIONS

Present: Frank Gerred, Director, Office of Planning and Zoning

Mr. Gerred presented a memorandum to the Board regarding state regulations requiring the County to inspect all manufactured housing foundations and installations effective January 1, 1984. Mr. Gerred suggested that these inspections can be accomplished utilizing his staff. Currently, electrical inspections are being done by the Middle Department Inspection Agency and this additional requirement would result in an additional fee charged by that Department. Mr. Gerred further recommended that the contract with the Middle Department be discontinued and that a qualified electrical inspector be placed on staff at a Grade 13. Additionally, he recommended that the Plumbing Inspector be upgraded to a Grade 13 because of the additional demands.

The Commissioners gave their concurrence to begin the process for the hiring of an electrical inspector, Grade 13, using the regular personnel procedures; and further that the upgrading of the Plumbing Inspector go through the regular county personnel process as would any other similar requests.

WATER RESOURCES ADMINISTRATION
(SEDIMENTATION CONTROL REPORT)

Present: Ken Kaumeyer, WRA
Roy Benner, WRA
John Norris, County Engineer
John Hall, IV, Soil Conservation Services

The above representatives of the Water Resources Administration appeared before the Commissioners to review and respond to any questions regarding the "Preliminary Report: Review and Evaluation of the St. Mary's County Erosion and Sediment Control Program."

Mr. Kaumeyer advised that it was agreed that a determination of program acceptability be withheld until an additional review and evaluation is conducted. He stated that WRA is willing to assist the County in implementing the recommendations of the Report, such as development strategy for administrative procedures. Mr. Kaumeyer proceeded to give a brief summary of some of the primary recommendations including, written procedures defining responsibility for implementation, establishment of requirements for administering the program's inspection and enforcement procedures, visitation of sites by inspectors, and written inspections reports.

Mr. Norris indicated that as a result of the meeting in November with WRA and county officials, the county has begun initiation of some of the recommendations.

In closing his review, Mr. Kaumeyer suggested that the County respond to the Report in writing or WRA representatives could attend a future meeting of the Board.

The Commissioners indicated the County's continued commitment to protecting the water quality and agreed to respond to the recommendations by mid-February after in-house review and after certain decisions are made with regard to implementation.

ADJOURNMENT

The meeting adjourned at 2:30 p.m.

APPROVED:


George R. Aud, President