

BOOK 0014 PAGE 0001

No. 98-39  
Grant Application - MILA  
MD Department of Economic  
& Community Development

RESOLUTION

WHEREAS, State of Maryland through the Department of Economic and Community Development has solicited applications from eligible jurisdictions to apply for state funding under the Maryland Industrial Act Fund (MILA); and

WHEREAS, St. Mary's County is eligible to apply for funds from the State's program; and

WHEREAS, the Board of St. Mary's County Commissioners, through the St. Mary's County Community Development Corporation, (CDC), as subrecipient, currently manages and operates the small business Community Revolving Loan Fund to which these grant funds will be deposited for relending to local small business owners for expansion and for financing of start-up of new business to create new jobs;

NOW THEREFORE, BE IT RESOLVED, THAT THE Board of St. Mary's County Commissioners authorize and support the submittal of an application by the CDC in the amount of \$250,000.00 this 1<sup>st</sup> day of September, 1998; and

BE IT FURTHER RESOLVED, THAT Barbara R. Thompson, President is authorized and empowered to execute any and all documents required for the submission of this application.

DATE OF ADOPTION: 9-1-98

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

EFFECTIVE DATE: 9-1-98


  
BARBARA R. THOMPSON, President

  
D. CHRISTIAN BRUGMAN, Commissioner

  
PAUL W. CHESSER, Commissioner

  
FRANCES P. EAGAN, Commissioner

  
LAWRENCE D. JARBOE, Commissioner

ATTEST:  
  
JOHN J. KACHMAR, JR, County Administrator

RECORDING FEE 0.00  
TOTAL 0.00  
Res#583 Acct#999999  
EWA TAB BIK#342  
Sep 03, 1998 09:42 am



NO: 98-40

SUBJ: Lexington Park Library Task Force

BOOK 0014 PAGE 0002

RESOLUTION

RECORDING FEE 9.00  
TOTAL 9.00

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, recognizes the need for an expansion of library facilities to satisfy increased demand in the Lexington Park service area; and

Rest#5403 Rec#4000000  
EWA NB BIK#1280

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, recognizes that the existing Lexington Park Library cannot be expanded to meet identified space needs, due to its location in the Air Installations Compatible Use Zone (AICUZ) for Naval Air Station, Patuxent River; and

Ser 14: 1998 11:52 am

WHEREAS, the Board of County Commissioners recognizes the limited personnel resources that challenge county government and the need to perform a careful analysis of the options; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, has determined that a Task Force should be established to assist the St. Mary's County Office of Capital Projects and the Library Board in the evaluation of various sites for construction of library facilities in the Lexington Park and California areas;

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that there is hereby established a Lexington Park Library Task Force.

MEMBERSHIP

The Task Force shall consist of seven (7) members. Five (5) members shall be appointed by a majority vote of the Board of County Commissioners. The delegated members shall be James S. Stirling, Director of Capital Projects, who shall act as Task Force Chairman and one member who shall be appointed by the Library Board of Trustees.

DUTIES AND RESPONSIBILITIES

The Lexington Park Library Task Force shall serve in an advisory capacity to the Board of County Commissioners by assisting the Office of Capital Projects and Library Board in the following capacities:

1. Development of a list of site alternatives to be evaluated. An architect-engineer consultant, under the direct supervision of the Office of Capital Projects will evaluate sites.
2. Review of site evaluation reports prepared by the architect-engineer consultant.
3. Development and review of a community survey to assess site preferences.
4. Preparation of a final report and presentation of recommended alternatives to the Board of County Commissioners.

RESOURCES

The Office of Capital Projects will provide all necessary staff, services and materials.

SCHEDULE


- |                 |   |
|-----------------|---|
| September, 1998 | Task Force convenes to develop the preliminary list of site alternatives to be evaluated and the format for the community survey. |
| October, 1998   | Conduct community survey. Develop final list of sites to be evaluated.  |

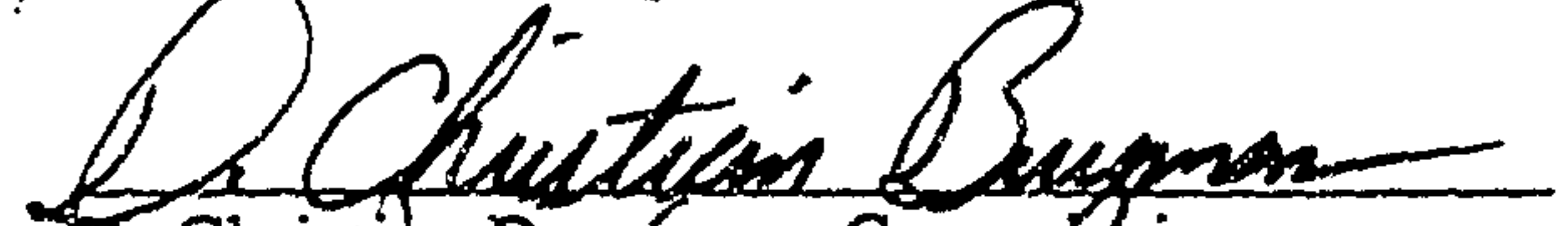



November, 1998	Task Force meets to review/discuss site evaluation reports.
December, 1998	Task Force meets to review/discuss site evaluation reports. Determine preferred alternatives for presentation to the Board of County Commissioners.
January, 1999	Task Force presents final report and recommendations to the Board of County Commissioners.


DATE OF ADOPTION: 9-8-98  
 EFFECTIVE DATE: 9-8-98


BOARD OF COUNTY COMMISSIONERS  
 ST. MARY'S COUNTY, MARYLAND

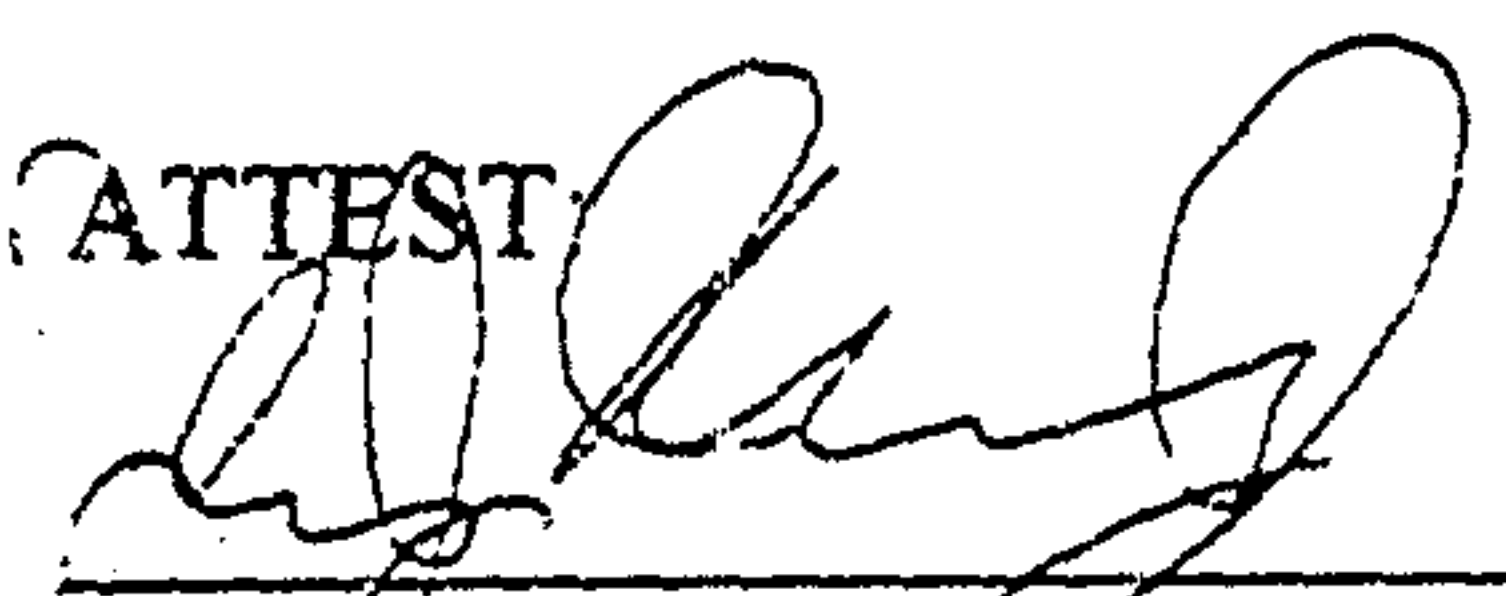
  
 Barbara R. Thompson, President

  
 D. Christian Brugman, Commissioner

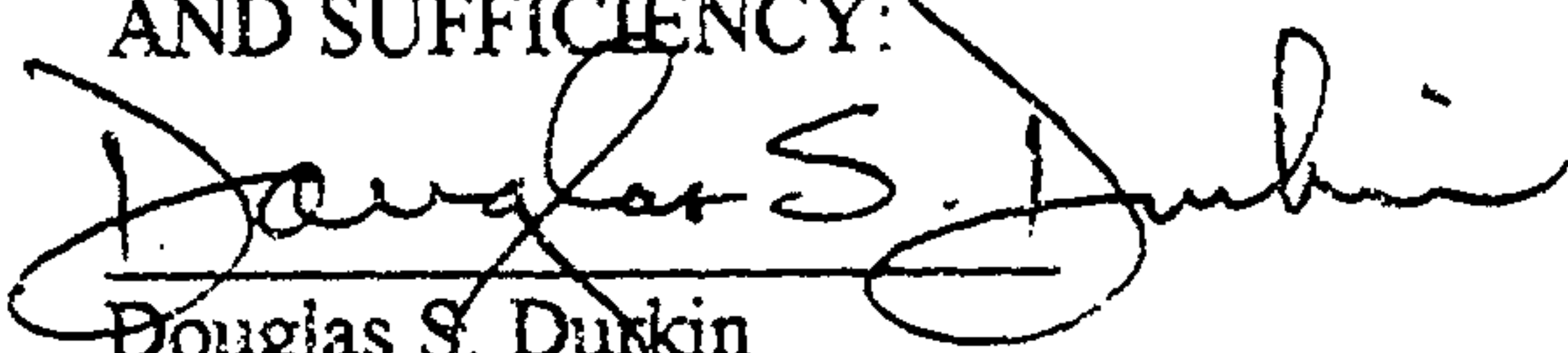
  
 Paul W. Chesser, Commissioner

  
 Frances P. Eagan, Commissioner

  
 Lawrence D. Jarboe, Commissioner

ATTEST:  
  
 JOHN J. KACHMAR JR.  
 County Administrator

APPROVED AS TO LEGAL FORM  
 AND SUFFICIENCY:

  
 Douglas S. Durkin  
 County Attorney

9-8-98



RESOLUTION

RECORDING FEE 0.00

WHEREAS, the St. Mary's County Planning Commission, in response to the requirements of the Annotated Code of Maryland, Article 66B, Sections 1.00 *et seq*, as amended by the Maryland Economic Growth, Resource Protection and Planning Act of 1992, conducted community workshops and "visioning sessions" on February 4, 1993 and June 23, 1994 seeking public input for preparation of the St. Mary's County Comprehensive Plan Update; and

TOTAL 0.00

WHEREAS, as a result of these work sessions the St. Mary's County Planning Commission appointed a "community character" subcommittee, which reviewed the public comments received and reported these comments to the full commission; and

Res#15403 Rec#1599999

WHEREAS, a draft sensitive areas element of the comprehensive plan was prepared, dated February 1, 1995, and circulated for comment to the general public, all Technical Evaluation Committee (TEC) agencies, engineering and planning consultants and to the Maryland Office of Planning; and

EMA MS BIK#1290

WHEREAS, both a survey entitled "St. Mary's County Comprehensive Plan Survey" prepared by planning consultant Anton Nelessen in conjunction with the Department of Planning and Zoning (DPZ) staff and the draft sensitive areas element were distributed to persons in attendance at four (4) community meetings, held on May 16, 1996 at Dynard Elementary School, on May 20, 1996 at the Hollywood Rescue Squad building, on May 30, 1996 at the Charlotte Hall Library, and on June 3, 1996 at Spring Ridge Middle School; and

See 14, 1998 11:54 am

WHEREAS, the above-referenced survey and sensitive areas element were also distributed to persons visiting the DPZ permits counter, and to persons attending presentations to civic and business groups by staff, from May 16, 1996 to November 1, 1996; and

WHEREAS, a total of seventy-eight (78) survey replies and comments were received by the Department of Planning & Zoning from June 1996 through November 1996 and the results compiled by DPZ staff for use by Planning Commission members in writing the comprehensive plan update; and

WHEREAS, the survey results and comments were also tabulated by the Planning Commission and DPZ staff on November 25, 1996 for inclusion in the comprehensive plan dated December 1996; and

WHEREAS, Planning Commission members and DPZ staff held workshops from November through December 1996 to review the survey results and comments and to finalize the December 12, 1996 draft document, which was then circulated for public review and comment; and

WHEREAS, the Planning Commission reviewed public comment on the December 1996 draft plan and met in work sessions from January 1997 to July 1997 to develop a second draft comprehensive plan; and

WHEREAS, a second draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," was prepared by the Planning Commission and dated July 11, 1997; and

WHEREAS, community meetings on the July 11, 1997 draft plan were held by the Planning Commission in Ridge on September 15, 1997, in Charlotte Hall on September 24, 1997 and in Leonardtown on September 29, 1997; and

WHEREAS, copies of the draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," dated July 11, 1997, were forwarded to the St. Mary's Board of County Commissioners, the County Attorney, and Planning Commission members on July 21, 1997 by interdepartmental mail; and



WHEREAS, copies of the draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," dated July 11, 1997, were forwarded to all adjoining planning jurisdictions and to all State and local agencies having responsibility for financing or constructing public improvements necessary to implement the plan, including Charles, Calvert, Somerset, and Dorchester, Maryland counties, and Northumberland and Westmoreland, Virginia counties, the State Highway Administration, the St. Mary's County Director of Finance, Department of Public Works, the Maryland Office of Planning, and through the Maryland Office of Planning clearinghouse review process, all other applicable State and county agencies on July 31, 1997, by regular mail and by interdepartmental mail; and

WHEREAS, during the 60-day period mandated by Article 66B, Section 3.07 of the Annotated Code of Maryland, the St. Mary's County Planning Commission received additional written comment from the Maryland Office of Planning, however no comments were received from the adjoining jurisdictions or the Maryland Eastern Shore or Virginia's Northern Neck; and

WHEREAS, a joint public hearing on the July 11, 1997 draft plan was scheduled and conducted by the Planning Commission and the Board of County Commissioners on October 14, 1997 at Leonardtown High School, a date of at least sixty (60) days after July 21, 1997 and July 31, 1997, the dates on which the draft plan was referred to adjoining planning jurisdictions and state and county agencies responsible for public improvements to implement the plan; and

WHEREAS, a notice of the time and place of the public hearing was given by publication in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on September 24, 1997 and October 1, 1997; and

WHEREAS, following the October 14, 1997 public hearing and in accordance with the custom and practice in St. Mary's County, additional written comment on the July 11, 1997 draft plan was accepted by the Planning Commission until October 24, 1997, concluding over four (4) years of public input on the future vision for St. Mary's County, Maryland; and

WHEREAS, following the public hearing, the Planning Commission conducted additional work sessions for purposes of considering such written and oral comments on November 21, 1997, December 1, 1997, December 5, 1997, and December 12, 1997, but at which work sessions no further public testimony was permitted or received; and

WHEREAS, the Planning Commission did, as a result of the public comments noted above and Board of County Commissioner direction, revise the plan as is summarized in its letter dated January 20, 1998 to the Board of County Commissioners, with attachments; and

WHEREAS, as required by Article 66B, Section 3.07 of the Annotated Code of Maryland, the Maryland Office of Planning's recommendations were received; and

WHEREAS, certain clarifications and revisions were made subsequent to and in response to public hearing comment and Board of County Commissioners direction regarding:

- Page 72, Action 23, to clarify critical area provisions; and
- Page 73, Action 24, forest conservation provisions; and
- Page 78, IV. 2.2.5 and Action 28, to clarify slope thresholds and to include sensitive areas maps #1-74 prepared by KCI Technologies by reference; and
- Page 79, Action 29, to broaden consideration of historic districts; and
- Page 81, new Action 31, to add reference to commercial marine (CM) zoning; and
- Page 82, Action 33, to add Mattapanay Road to the scenic roadway list; and

WHEREAS, the Planning Commission found that all such revisions made subsequent to the public hearing of October 14, 1997 are not substantial and are reasonably foreseeable from and within the confines of the notice published on September 24, 1997 and on October 1, 1997, and that no revisions were made that could not have been reasonably anticipated from such published notice; and



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WHEREAS, the Planning Commission has now recommended adoption of only the sensitive areas provisions of the January 1998 draft plan, specifically pages 71 - 82 (part) subsections 2.1, 2.2 and 2.3 of Chapter IV; and

WHEREAS, the Planning Commission recommended this sensitive areas element mini-plan as an amendment to the 1988 comprehensive plan; and

WHEREAS, the Planning Commission found that the recommended sensitive areas element mini-plan does fulfill all statutory requirements of Article 66B, section 3.05(a)(1)(viii) of the Annotated Code of Maryland; and

WHEREAS, the recommended sensitive areas element mini-plan does provide for the Planning Commission's desired future vision for these resources of St. Mary's County; and

WHEREAS, the St. Mary's County Planning Commission has certified the sensitive areas element mini-plan, a copy of which is attached hereto as Exhibit "A," as its formal recommendation to the Board of County Commissioners; and

WHEREAS, on August 24, 1998, the St. Mary's County Planning Commission, by a vote of all members at a public meeting properly called and held with notice given on the Commission agenda, did endorse and transmit to the St. Mary's Board of County Commissioners, its recommended sensitive areas element mini-plan; and

WHEREAS, the Board of County Commissioners accepts the Planning Commission's recommended Sensitive Areas Element as a "mini-plan" amendment to the 1988 Comprehensive Plan.

SECTION ONE. NOW, THEREFORE, BE IT RESOLVED that the St. Mary's County Board of County Commissioners hereby adopts the document entitled "Sensitive Areas Element" as an amendment to the October 25, 1988 Comprehensive Plan to ensure preservation of sensitive areas in St. Mary's County, a copy of which is attached hereto as Exhibit A, including its subplans and maps which consist of:

1. The critical area plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as if set out in full; and
2. The Forest Conservation Plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as if set out in full; and
3. The Southern Maryland Heritage Area Plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as if set out in full; and
4. Maps # 1-74 prepared by KCI Technologies at a scale of 1 inch = 600 feet depicting the location of these features, are incorporated herein by reference as if set out in full; and

SECTION TWO. BE IT FURTHER RESOLVED that the provisions of the October 25, 1988 Comprehensive Plan are hereby amended as follows:

Page 22-23, WETLANDS is rescinded and replaced with section 2.2.1(A) of exhibit A.

Page 23, FLOODPLAINS is rescinded and replaced with section 2.2.2 and Action 26 of exhibit A.

Page 23, FORESTS AND WOODLANDS is rescinded and replaced with sections 2.1.1(c), 2.2.4 and Action 24 of exhibit A.

Page 24, MINERAL RESOURCES is rescinded and replaced with section 2.1.2 B (v) of exhibit A.

Page 24-25, STEEP LANDS is rescinded and replaced with section 2.2.5 and Action 28 of exhibit A.



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Page 25, SOILS is rescinded and replaced with section 2.2.3 of exhibit A.  
Page 25-26, HABITAT RESOURCES is rescinded and replaced with section  
2.2.1 of exhibit A.  
Page 26, SHORELINE EROSION is rescinded and replaced with section 2.1.2 B  
(iv) of exhibit A; and

SECTION THREE. BE IT FURTHER RESOLVED that the "Action Items" contained in  
the sensitive areas element mini-plan provide the general guidance and basis for preparation of  
the required standards and regulations necessary to implement the requirements of Article 66B  
Section 3.05 (a) (1)(viii) and additional public hearings shall be required prior to enactment of  
any of these provisions as ordinance or regulation.

Date of Adoption: 9-8-98

Effective Date: 9-8-98

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

  
BARBARA R. THOMPSON, President

  
D. CHRISTIAN BRUGMAN, Commissioner

  
PAUL W. CHESSER, Commissioner

  
FRANCES P. EAGAN, Commissioner

  
LAWRENCE D. JARBOE, Commissioner

ATTEST:

  
John J. Kachmar, Jr.

APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY:

  
DOUGLAS S. DURKIN  
County Attorney

**St. Mary's County, Maryland**  
**Sensitive Areas Element**

**Mini-Plan Amendment  
To the  
1988 Comprehensive Plan**



**September 8, 1988**



2 RESOURCE PROTECTION ELEMENT**2.1 Goal: Promote universal stewardship of the Chesapeake Bay and of the land as an ethic for county citizens, businesses, industry and government agencies.**

2.1.1 *Objective: Conserve fish, wildlife, and plant HABITATS through implementation of federal, state and local resource protection policies which integrate resource protection measures into development activities.*

A. Policy: Coordinate with federal and state regulatory agencies to STREAMLINE APPROVALS and verify compliance with environmental regulations which protect habitats and water quality.

B. Policy: Implement Maryland's Chesapeake Bay CRITICAL AREA PROGRAM and "The Criteria" (COMAR Section 14.15.01 - 14.15.11) and amendments to date.

i. Mitigate environmental impacts of human activity on the Chesapeake Bay.

a. Accommodate three levels of intensity for development in the Critical Area:

i) Low Intensity: implement state regulations by classifying qualifying lands as resource conservation areas (RCA).

a) Conserve, protect and enhance the overall ecological values, biological productivity and diversity.

b) Protect breeding, feeding, and wintering habitats for those wildlife populations that require the Chesapeake Bay, its tributaries, or coastal habitats in order to sustain populations of those species.

c) Conserve the land and water resource base that is necessary to maintain and support the preferred land uses of agriculture, forestry, fisheries activities and aquaculture, and to preserve nature-dominated environments (wetlands, forests, abandoned fields).

d) Conserve developed woodlands and forests for the water quality benefits that they provide.

e) Allow development at density of 1 unit per 20 acres.

ii) Moderate Intensity: classify qualifying lands as limited development areas (LDA).

a) Maintain or improve the quality of runoff and groundwater entering the Chesapeake Bay and its tributaries.

b) Maintain natural plant and animal habitats as in resource conservation areas.

c) When accommodating additional low or moderate intensity development, protect water quality, aquifer recharge areas, habitats, and the prevailing character of areas.

d) Allow development at base zoning (underlying) density.

iii) Intensely Developed: classify qualifying lands as intensely developed areas (IDA).

a) Improve the quality of runoff from developed areas that enters the Chesapeake Bay or its tributary streams by 10 percent or greater.

b) Allow additional development of the type and intensity allowed by the comprehensive plan provided that water quality is not impaired.



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- c) Use retrofitting measures to address stormwater management problems.
  - d) Protect aquifer recharge areas.
  - e) Minimize the expansion of IDA's into portions of the Critical Area designated as habitat protection areas and Resource Conservation Areas.
  - f) Allow development at base zoning (underlying) density.
- b. Accommodate and direct intensified development in the Critical Area through "growth allocation".
- i) General Critical Area intensification policies:
    - a) Avoid, to the extent possible, the impacts of new IDA and LDA on habitat protection areas.
    - b) No more than one half of the allocated expansion acres (862 acres maximum), may be located in resource conservation areas.
    - c) Locate disturbance and nonwater-dependent development for new IDAs and LDAs in reclassified resource conservation areas at least 300 feet beyond the landward edge of tidal wetlands or tidal waters.
  - ii) Intensely Developed Area intensification policies:
    - a) Locate new IDAs in LDAs or adjacent to existing IDA's.
    - b) Locate new IDAs where they minimize their impacts on the defined land uses of resource conservation areas.
  - iii) Limited Development Area intensification policies:
    - a) Locate new LDAs adjacent to existing LDAs or IDAs.

**Action 23: Critical Area Program**

**Ordinance Revisions:**

- 1) Establish buffer management (buffer exemption) zone criteria for substantially developed shoreline communities (provides clarification and relaxation for some buffer requirements).
- 2) Allow transfer of TDRs within the critical area (CA) from lesser to higher intensity overlay areas.
- 3) Simplify and clarify growth allocation scoring and process.
- 4) Establish program requirements for shoreline structures/activities.
- 5) Relax mitigation requirement for shoreline stabilization process.

**Zoning Map Revisions:**

- 1) Correct "edge match" errors in critical area overlay maps and show resource conservation area (RCA), limited development area (LDA) and intensely developed area (IDA) designations graphically on reference maps.
- 2) Establish and map critical area buffer management zones to provide relief from some restrictions on development in the critical area buffer.
- 3) Comprehensively apply growth allocation to RCA areas in development districts to increase development intensity to LDA.

**Budgeting:**

- 1) Continue to utilize available state funding with county match for implementation of the local critical area program including: development review, program review and refinement, public education and outreach, grant administration, and training for staff.
- 2) The critical area plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as is set out in full.



- C. Policy: Implement Maryland's 1991 FOREST CONSERVATION ACT (Natural Resources Article 5-1609 and amendments to date.

**Action 24: Streamline Forest Conservation Program**

Ordinance Revisions:

- 1) Provide for a simplified forest stand delineation and site analysis on lands showing priority area:
  - a) Buffers around perennial and intermittent streams.
  - b) 100 year floodplains
  - c) Steep slopes (greater than 25%, or 15% or more with soils having an erosivity (K) value of .35 or greater), see USDA soil survey for explanation of K values.
  - d) Wetlands; and
  - e) Forest corridors and blocks of forest which are at least 300 feet wide and/or are part of large tracts of forest of 100 acres or more.
- 2) Streamline Forest Conservation Program when projects are clustered and open space is preserved in the RPD:
  - a) Exempt minor subdivisions from additional requirements of the forest conservation ordinance (FCO) when the subdivision or development concept plan leaves at least 50% open space outside of lots and limits of disturbance are outside of the priority areas.
  - b) Exempt farmstead subdivisions from the FCO requirements when designated development envelopes established on each lot are outside priority areas.
  - c) Subject rural residential subdivision proposals to all FCO requirements.
- 3) Projects in designated growth areas may be exempted from some requirements of the Forest Conservation Ordinance when:
  - a) the subdivision or development concept plan leaves at least 50% open space outside of lots;
  - b) limits of disturbance are outside of the priority areas; or blocks of existing priority forest are protected outside the growth area through the purchase or transfer of development rights (TDRs).
- 4) The Forest Conservation Plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as if set out in full.

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2.1.2 *Objective: Adopt a comprehensive approach to MANAGEMENT OF POLLUTION (point and nonpoint sources) to minimize adverse impacts on water quality in the Chesapeake Bay and its tributaries that result from high nutrient loadings in runoff from surrounding lands or the pollutant discharges from point sources, and from unvegetated areas and impervious surfaces.*

- A. Policy: Implement Lower Potomac and Patuxent River TRIBUTARIES STRATEGIES to achieve the cap of nutrient pollution in the Chesapeake Bay at 40% of the 1985 nutrient loads by 2000:

**Action 25: Tributary Strategies Teams**

**Budgeting:**

- 1) Assure staff participation on tributary teams to prioritize recommendations and implement nonregulatory strategies to improve resource management, implement best management practices (BMPs) and fund innovative technology to reduce nutrient and sediment inputs from:
  - a) Point sources
  - b) Developed land
  - c) Agricultural land and
  - d) Natural resource areas.
- 2) Utilize grants, user fees and develop revenue resources to fund implementation.

- B. Policy: Limit and mitigate the impacts on WATER QUALITY that result from pollutants that are discharged from both point and non-point sources including:
- i. Retrofit, upgrade, and manage public sewerage systems to reduce nutrient and pollution discharges.
  - ii. Expand capacity and service, and require connection to public sewerage systems in growth areas to reduce environmental impacts of multiple new septic systems and to eliminate failing septic systems.
  - iii. Control and minimize runoff and erosion and loss of soils to enhance and protect the quality of water resources, protect sensitive habitats, maintain and enhance productivity of prime agricultural lands, and prevent loss of property.
    - a. Control and minimize soil erosion and runoff from agricultural fields, pastures, and development sites.
      - i) Require agricultural best management practices to reduce loss of top soil and to minimize the impacts of agriculture activities on water quality by reducing nutrient, sediment and chemical pollution in runoff and groundwater.
      - ii) Developed land implementation: Use best management practices to control and minimize soil erosion and runoff from development sites.
    - b. Minimize disturbance to hydric soils, and highly erodible soils and maintain natural patterns of surface and underground hydrology.
  - iv. Encourage, inform and educate waterfront property owners to select the most environmentally sensitive methods of combatting shore erosion.
    - a. Establish vegetated buffers along the Bay and its tributaries.
    - b. Use protection measures which best provide for conservation of plant, fish, and wildlife habitat (in order of preference): 1) no action; 2) relocation of threatened structures; 3) nonstructural stabilization including beach nourishment, marsh creation, and in limited cases slope; 4) shoreline revetments; 5) offshore breakwaters; 6) groins; 7) bulkheads.
    - c. Encourage continued state cost share programs.



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- v. Recognize the important economic value of mineral resource extraction. Encourage utilization of these resources but minimize adverse impacts to surrounding habitat and water resources and adjacent uses. Any mining activity in excess of 5 acres is subject to conditional use approval.
  - a. In the critical area: Surface mining activities includes any mining activity impacting one acre or more. Keep large undeveloped lands with potential mineral resources in an undeveloped state to avoid loss of mineral resources. Habitat protection areas are unsuitable for future mining operations. Minimize potential water quality impacts of activities associated with resource extraction, including the removal of vegetation, soil disturbance and grading.
  - b. Outside of the critical area: sand and gravel excavation may occur provided negative physical impacts, water quality and negative visual impacts to adjoining properties are avoided or mitigated.

## 2.2 Goal: Protect sensitive areas.

2.2.1 *Objective: Identify and conserve SIGNIFICANT NATURAL HABITATS, throughout the county including state designated Natural Heritage areas, locally significant habitat areas, important natural areas, and fish, wildlife, and plant habitats especially those of rare, threatened and endangered species.*

- A. Policy: Protect tidal and nontidal WETLANDS resources because of their importance for plant habitat, fish and wildlife habitat, and overall water quality.
  - i. Remove or reduce potentially harmful or toxic substances in runoff entering the Bay and its tributaries.
  - ii. Minimize the adverse effects of human activities on wetlands, shorelines, stream banks, tidal waters, and aquatic resources.
  - iii. Maintain area of transitional habitat between aquatic and upland communities.
- B. Policy: Maintain and enhance the natural environment of STREAMS.
  - i. Protect riparian wildlife habitat.
- C. Policy: Protect species in need of conservation, rare, THREATENED AND ENDANGERED SPECIES and their habitats.
  - i. Conserve wildlife habitats, including those that tend to be least abundant or which may become so in the future if current land use trends continue.
  - ii. Protect the in-stream and stream-bank habitat of anadromous fish propagation waters.
  - iii. Protect nontidal wetlands of importance to plant, fish and wildlife, and water quality.



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2.2.2 *Objective: Preserve, protect, and restore the natural environment and beneficial FUNCTIONS OF THE FLOODPLAIN*

- A. Policy: Restrict DEVELOPMENT in the 100-year flood plain. Regulate construction and use of permitted structures to minimize damage according to state and federal policy (FEMA):
- B. Policy: Minimize the DISTURBANCE OF VEGETATION in the 100-year flood plain.

**Action 26: Floodplain Management**

Ordinance Revision:

- 1) Avoid construction in the floodplain whenever possible.
  - a) Prohibit creation of new lots which include flood plain (tidal or non-tidal) within buildable area on the lot.
  - b) Prohibit construction of structures within the floodplain on existing lots when buildable area for structure(s) is available outside of flood plain.
  - c) Require elevation of structures necessarily placed in floodplain:
    - i) all new and substantially improved structures necessarily located in the floodplain shall be elevated to one foot above the level of the 100-year flood.
    - ii) restrict use of structures and enclosed areas below this level and require installation of water equalizing vents.
- 2) Clarify and enforce National Flood Insurance Program (NFIP) prohibition on new construction and placement of manufactured homes and recreational vehicles, substantial alteration of existing structures, and new fill in the floodway.
  - a) Prohibit new and replacement manufactured housing in floodway;
  - b) Prohibit placement of recreational vehicles in the floodway;
  - c) Prohibit substantial alteration of existing structures located in the floodway.
  - d) Prohibit placement of new fill material in the floodway.
- 3) In coastal high hazard areas:
  - a) Require design and construction of elevated structures to allow free movement of flood waters under the buildings and to minimize danger of collapse of the structural system.
  - b) Prohibit placement and replacement of manufactured homes.
  - c) Prohibit recreational vehicles unless they are "highway ready" and in place for no more than 180 days.

2.2.3 *Objective: Preserve, protect and restore the natural ecosystems and functions of HYDRIC SOILS, WETLANDS, STREAMS AND STREAM BUFFERS*

- A. Policy: Direct intense development activity away from areas which are in proximity to water courses. Require development to locate as far from the water courses as possible and to establish PERMANENT PROTECTION MEASURES for the priority riparian areas.
  - i. Establish minimum tidal and nontidal wetlands buffers according to state and federal law and require a setback from these buffers to limit disturbance in the buffers during construction.
  - ii. Assure coordination and enforcement of restrictions and protection for wetlands, streams and their buffers with all agencies responsible for development review.

**Action 27: Protection of Open Space**

Ordinance Revision:

- 1) Expand open space provisions of the resource protection section.
  - a) Define resource and open space easements requirements.
  - b) Require density parcels for protection of sensitive areas.
  - c) Establish minimum covenant requirements for community association-held open space.
- 2) Expand resource protection section provisions to clarify expansion criteria for buffers from wetlands and perennial streams to include adjacent areas of slopes of 15% or greater and hydric soils.
- 3) Establish minimum buffers according to state and federal law and require a setback from the following buffers to limit disturbance in the buffers and subsequent liability of violations during construction:
  - a) perennial and intermittent stream buffers; and
  - b) tidal and nontidal wetland buffers.



- B. Policy: Employ BEST MANAGEMENT PRACTICES to minimize potential associated water quality impacts when development activity takes place adjacent to stream banks.
    - i. Assure coordination and enforcement of restrictions and protection for wetlands, streams and their buffers with all agencies responsible for development review.
  - C. Policy: Discourage alteration of, obstruction of and construction in existing stream courses and stream banks and alteration of the natural drainage patterns, unless adequate MEASURES TO MITIGATE potential adverse impacts are included in the development.
    - i. Address design and placement of storm water management, roads, limits of grading and clearing, installation of public and private utilities in the zoning, subdivision, road and stormwater management ordinances and regulations.
  - D. Policy: Maintain or improve WATER QUALITY in streams by providing incentives to:
    - i. Establish buffers and implement soil conservation and water quality plans for development, agricultural and forestry activities;
    - ii. cluster development activities to decrease areas of disturbance and limit amount of impervious surface in stream watersheds;
    - iii. effect both quality and quantity improvements in new stormwater management structures;
    - iv. use retrofit measures to address stormwater management problems;
    - v. avoid use of streams and their buffers as required by state regulation for stormwater management;
    - vi. plant forested buffers, and
    - vii. utilize sustainable alternative methods to water commercial livestock.
  - E. Policy: Establish natural preserves, PARKS and education areas adjacent to water courses.
- 2.2.4 *Objectives: Maintain and enhance FOREST COVER to maintain biological productivity and habitat values throughout the county by enhancing and restoring riparian forest ecosystems, minimizing the impacts of forestry activities on water quality, and providing for a net increase in forest vegetation in the Critical Area.*
- A. Policy: Manage forest and woodland to maintain MAXIMUM VALUES for wildlife, water quality, timber, recreation and other resources, recognizing that in some cases these uses may be mutually exclusive.
  - B. Policy: Pursue INCREASED FOREST ACREAGE and managed woodlands, particularly in the critical area.
  - C. Policy: Minimize the removal of trees associated with development activities, and, mitigate the impacts of TREE REMOVAL:



2.2.5 *Objective: Limit human activity and development on STEEP LANDS to protect water quality and aquatic habitat; to minimize hazards of flooding, landslides, erosion, and pollution; and to maintain areas of high biodiversity.*

- A. Policy: Preserve slopes GREATER THAN 25 PERCENT from disturbance or development in the rural preservation district.
- B. Policy: Discourage development activities on SLOPES OF 15% TO 25% to avoid the potential associated water quality impacts from the development of steep slopes unless there is no viable alternative.

**Action 28: Buffer Expansion for Resource Protection**

**Ordinance Revision:**

- 1) a) Continue to preserve from disturbance all slopes of 25% or more in the RPD:
  - b) Authorize disturbance of slopes in excess of 25% only by an approved engineered soil erosion and sediment control plan.
- 2) Expand Resource Protection Section provisions to clarify expansion criteria for buffers for tidal wetlands and perennial streams to include adjacent areas of slopes of 15% or greater.
  - a) Preserve from disturbance or development slopes equal to or exceeding 15% adjacent to and part of the Critical Area 100-foot Buffer except as necessary for erosion control activities.
  - b) Preserve from disturbance or development highly erodible soils on slopes of 15% to 25%.
    - i) Specify highly erodible soils as those soils with an erosivity ("k") value of .35 or greater, including, but not limited to, Caroline Silt Loam (10-15%), Croom Gravelly Sand Loam (10-15%), and Westphalia Fine Sandy Loam (20-40%) See USDA soils survey for explanation of K values.
    - ii) Provide for planning commission approval of an engineered soil erosion and sediment control plan for disturbance of 15% - 25% slopes with highly erodible soils.
- 3) Minimize the clearing of natural vegetation where development activities are permitted to occur on steep slopes (15% to 25%).

2.2.6 *Objective: Sensitive Areas maps # 1-74 prepared by KCI Technologies at a scale of 1" = 600" depicting the location of these features are incorporated herein by reference as if set out in full.*



BOOK 0014 PAGE 0017

**2.3 Goal: Preserve the natural, recreational, historical and cultural heritage in conjunction with economic and social well-being to maintain and enhance the quality of life.**

2.3.1 Objective: Promote balanced HERITAGE ACTIVITIES AND PROGRAMS that capitalize on the natural, recreational, historical and cultural resources of the county and the region, including implementation of the Southern Maryland Heritage plan .

A. Policy: DEVELOP AND MAINTAIN AN INVENTORY of natural, recreational, historical, and cultural resources in the county based on the physical, biological and cultural connections between public and private sites as a resource for tourism and recreation; education and research; preservation and conservation; and economic development.

i. Preserve significant and important sites.

a. Identify all historically significant properties for inclusion in the Maryland Inventory of Historic Sites.

b. Amend development review process to include review of all development proposals for potential adverse impacts on historic resources by the Historic Preservation Commission.

i) Review all structures fifty years or older that are slated for demolition for historic significance.

ii) Encourage compatible development in designated historic districts. Establish performance standards to prevent negative impacts on surrounding properties.

iii) Require the identification of cemeteries, burial grounds, and archeological sites on a property prior to any disturbance of the site.

ii. Document local cultural traditions through the Historical Society.

iii. Promote the designation of historic sites and districts.

iv. Promote adaptive reuse of historic structures.

**Action 29: County Historic Districts**

**Budgeting:**

- 1) Continue or expand use of state funding for historic sites survey and historic resources planning.
  - a) Contract for sites surveys for support of review and documentation of structures to be demolished, and for public outreach.
  - b) Obtain grants for supplies and staff support.
  - c) Develop a historic resources plan.

**Ordinance Revision:**

- 1) Establish historic overlay district criteria.
- 2) Establish standards for development and redevelopment in historic district overlay areas.

**Zoning Map Revision:**

- 1) Consider designation of county historic district overlay areas:
  - a) Charlotte Hall
  - b) Mechanicsville
  - c) Chaptico
  - d) St. Mary's City



B. Policy: MAINTAIN HERITAGE RESOURCES: Seek and support increased opportunities for conservation, preservation, and maintenance of heritage resources through official state and federal recognition of county sites and of Southern Maryland as a "Heritage Area."

i. Support local, regional, state and federal heritage program efforts, such as the National Register of Historic Places and Maryland Historical Trust grants programs, which provide incentives to foster the preservation or restoration of significant structures.

Action 30: Heritage Area Planning

Budgeting:

- 1) Continue to utilize state and federal funding and cooperative agreement with National Park Service for Southern Maryland Heritage Planning
  - a) Pursue recognition as a state heritage area and development of a management plan.
  - b) Organize development and training for a heritage area management entity.
  - c) Develop maps, information and signage for heritage area sites
- 2) The Southern Maryland Heritage Area Plan as adopted by the Board of County Commissioners, as may be amended from time to time, is hereby incorporated by reference as if set out in full.

ii. Support public and private community preservation efforts.

iii. Pursue certified local government status from the Maryland Historic Trust.

iv. Pursue establishing a dedicated staff position.

C. Policy: Promote historic resources for ECONOMIC OPPORTUNITY.

i. Encourage and assist the public and private sectors to evaluate opportunities to implement techniques to protect, enhance and utilize the natural, historical and cultural resources of Southern Maryland.

a. Provide local tax incentives for the preservation of important and significant historical and cultural resources.

b. Adopt design guidelines/appearance code to be applicable to all locally designated historic sites and districts.

ii. Promote recognition of and financial investment in heritage resources to increase economic opportunity and revenues for all segments of the economy.

D. Policy: Encourage participation in natural, historic and cultural preservation through EDUCATION AND PUBLIC AWARENESS.

i. Develop signage to promote, link and interpret the Southern Maryland Heritage Area.

ii. Demonstrate the economic value of heritage tourism, travel and recreation; develop and promote heritage tourism and thematic tours of the Southern Maryland Heritage Area.

iii. Expand and promote heritage education, using natural and cultural resources of the Southern Maryland Heritage area to communicate the importance of the resources to the quality of life ; educate about threats to these resources and everyday opportunities for action.

a. Publicly acknowledge additional sites included in the Maryland Inventory, and present the property owners with a copy of all research materials.

iv. Expand environmental education curriculum in public schools.



BOOK 9C PAGE 19

2.3.2 *Objective: Support WATER DEPENDENT FACILITIES*

- A. Policy: Encourage MARINA SERVICES to meet the water-dependent commercial and recreational needs and developmental goals .
- B. Policy: Support FISHERIES ACTIVITIES to enhance markets for local watermen.
- C. Policy: Seek new investment in AQUACULTURE, maintenance of existing aquacultural activities, and restoration of overworked areas.
- D. Policy: Provide public water-dependent RECREATIONAL AND WATER ACCESS facilities.
- E. Policy: Limit development activities in THE 100 FOOT BUFFER to those that are specifically water-dependent.
- F. Policy: Minimize individual and cumulative impact of activities associated with water-dependent facilities on water quality and fish, wildlife and plant habitat by establishing PERFORMANCE STANDARDS for facilities and activities.

Action 31: Marinas  
 Zoning Map:  
 1) Maintain commercial marine (CM) zoning.

2.3.3 *Objective: Identify and maintain SYSTEMS OF OPEN SPACE throughout the county including scenic roadway corridors. These GREENWAYS should include, and function to provide, buffers for streams, shoreline, wetlands, and roadside development; wildlife corridors; recreation areas; public and private natural areas; intermodal transportation links, and utility corridors.*

- A. Policy: Develop GREENWAY AND OPEN SPACE SYSTEMS for the Potomac, Patuxent and Chesapeake watersheds in the county to provide opportunities for recreation, public access, habitat protection and water quality improvement and to link and interpret Southern Maryland Heritage Area sites.
  - i. Manage natural lands in the county recreation and parks system to provide resource protection benefits.
  - ii. Demonstrate and utilize implementation techniques and natural resources protection objectives on publicly managed lands to educate citizens and businesses about the benefits of a healthy environment.
  - iii. Require compliance with resource protection policies by county agencies and departments in review for approval and for county implemented projects.

Action 32: Open Space Protection Activities  
 Budgeting:  
 1) Fully utilize available local, state and federal funding to accomplish implementation of resource protection programs and projects.  
 a) Participate in the Maryland Rural Legacy Program.  
 b) Utilize Program Open Space for purchase of easements, development rights, or fee simple interest for recreation and preserve open space lands.



B. Policy: Designate SCENIC ROADWAYS and roadway corridors.

Action 33: Scenic Roadways

Ordinance Revision:

- 1) Establish development criteria for projects which occur along designated scenic roadways.
  - a) St. Andrews Church Road and Patuxent Beach Road (MD Route 4).
  - b) Point Lookout Road (MD Route 5).
  - c) New Market Turner Road (MD Route 6).
  - d) Budds Creek Road (MD Route 234).
  - e) Mattapany Road.
- 2) Support tourist oriented directional signage (T.O.D.S.) .

Budgeting:

- 1) Prepare "non capital planning grant" application for scenic roadways.

BOOK 0034 PAGE 0020



ORDINANCE

RECORDING FEE 0.00  
TOTAL 0.00

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating Budget to increase the appropriation for the Circuit Court for St. Mary's County, and

Res: 1998-03 Rec: 1999-03

WHEREAS, the St. Mary's County Director of Finance has certified in writing that such funds are available in the form of State grant funds through the State Administrative Office of the Courts for the purpose of obtaining a family support services coordinator to provide additional resources to accommodate the expedited handling of family law related cases to supplement existing judicial resources in the circuit courts.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on August 25, 1998 pursuant to Notice published on or about August 12, 1998 and August 19, 1998 in the Enterprise.

EMA No 81k-1203

SEP 14 1998 11:55 AM

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, August 25, 1998 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$35,790.00 (Thirty-Five Thousand Seven Hundred Ninety Dollars), and such increase is hereby approved this 8<sup>th</sup> day of Sept., 1998, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Thompson, Chesser, Brugman, Eagan, Jarboe  
Those voting Nay: \_\_\_\_\_  
Those Absent: -0-

Date of Adoption: 9-8-98

Effective Date: 9-8-98

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Barbara R. Thompson  
Barbara R. Thompson, President

D. Christian Brugman  
D. Christian Brugman, Commissioner

Paul W. Chesser  
Paul W. Chesser, Commissioner

Frances P. Eagan  
Frances P. Eagan, Commissioner

Lawrence D. Jarboe  
Lawrence D. Jarboe, Commissioner

ATTEST

John U. Kachmar Jr.  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Douglas S. Dunkin  
Douglas S. Dunkin  
County Attorney

8-24-98



No: 98-43

Subject: FY 1999 Supplemental Appropriation  
Department of Economic & Community  
Development

BOOK 0014 PAGE 0022

**ORDINANCE**

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating Budget to increase the appropriation for the Department of Economic and Community Development for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$8,000.00 are available from the Southern Maryland Travel and Tourism Committee for the purpose of increasing tourism revenues, creating an awareness of tourism, marketing and promoting the region, uniting the tourism industry locally and supporting linkages for attractions and tourism businesses, exchanging communications between the tourism industry, County Commissioners, legislators, public and civic organizations, and assuring the effectiveness of the Southern Maryland Travel and Tourism Committee.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on September 22, 1998 pursuant to Notice published on or about September 9 and September 16, 1998 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 22, 1998 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$8,000.00 (Eight Thousand Dollars), and such increase is hereby approved this 6<sup>TH</sup> day of October, 1998, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: Thompson, Brugman, Chesser Eagan  
Those voting Nay: \_\_\_\_\_  
Those Absent: Jarboe

Date of Adoption: 10-6-98

Effective Date: 10-6-98

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Barbara R. Thompson  
Barbara R. Thompson, President

D. Christian Brugman  
D. Christian Brugman, Commissioner

Paul W. Chesser  
Paul W. Chesser, Commissioner

Frances P. Eagan  
Frances P. Eagan, Commissioner

ABSENT  
Lawrence D. Jarboe, Commissioner

ATTEST:

John J. Kachmar Jr.  
John J. Kachmar Jr.  
County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5982 Rpt#999999  
EMA MAB BIK#373  
Oct 13, 1998 04:09 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Douglas S. Durkin 9-18-98  
Douglas S. Durkin  
County Attorney



RESOLUTION

WHEREAS §64.5 of the St. Mary's County Zoning Ordinance establishes an Official Road Name List and provides for changes thereto, and

WHEREAS §4.1(c) of the St. Mary's County subdivision regulations specifies procedures for the naming and renaming of roads and requires a public hearing, and

WHEREAS County Commissioners Resolution Z-94-15 amends such provisions so as to stipulate that petitions for the renaming of a road will be accepted, and a public hearing scheduled if the owners of at least 51% of properties on the road have signed the petition, and

WHEREAS, pursuant to the above referenced procedures and requirements, requests have been duly made for the following road name changes:

- 1) Change PICKETT'S COURT to PICKETT'S HARBOR COURT  
Location: off Long Lane in Pickett's Harbor Subdivision  
ADC Map 19, Grid F11
- 2) Change EGELI WAY to GLEBE LANE  
Location: Off Piney Point Road (MD249) in Valley Lee  
ADC Map 23, Grid K11
- 3) Change MYRTLE WAY to MAX WAY  
Location: Off Myrtle Point Road  
ADC Map 12, Grid A13

RECORDING FEE 8.00  
 TOTAL 8.00  
 Res#15403 Rort#999999  
 EWA PL BIK#1853  
 Oct 15, 1998 01:03 PM

WHEREAS a public hearing on said requests was held September 1, 1998, and


WHEREAS the requested changes are compatible with public safety objectives of the above referenced ordinances and resolutions,

NOW THEREFORE BE IT RESOLVED that the Official Road Name List is hereby amended to incorporate said road name changes.

Date of adoption and effective date: 10-13-98

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

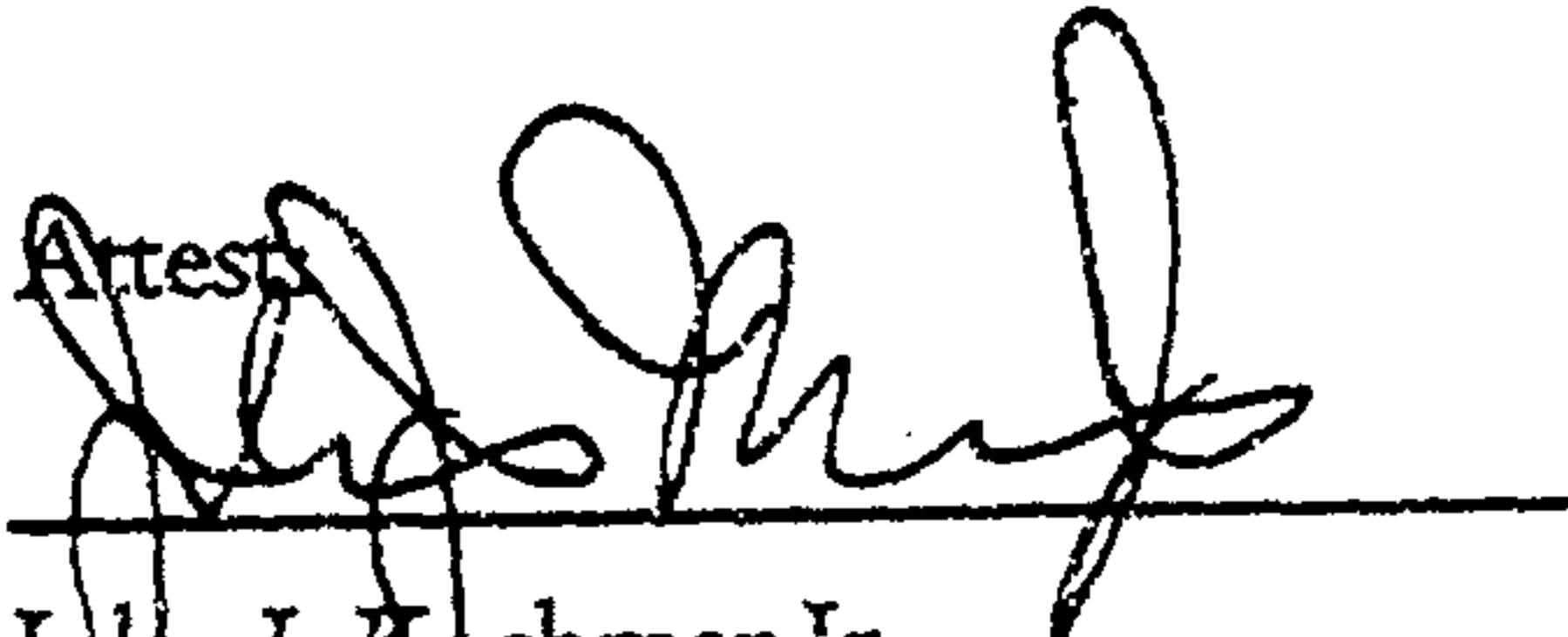
  
BARBARA R. THOMPSON, President

  
D. CHRISTIAN BRUGMAN, Commissioner

  
PAUL W. CHESSNER, Commissioner

ABSENT  
FRANCES P. EAGAN, Commissioner

  
LAWRENCE D. JARBOE, Commissioner

Attest  
  
John J. Kachmar Jr.  
County Administrator



RESOLUTION

WHEREAS section 1.5 of the St. Mary's County Comprehensive Water and Sewerage Plan (CWSP) sets forth procedures for amending the plan; and

WHEREAS, pursuant to those procedures, application has been filed by the St. Mary's County Board of Education for an amendment to Map IV-25 of the CWSP that would change from NPS (no planned service) to RSe (rural service, environmental hazard) the service are category of the Banneker and Loveville schools located within certain acreage described as parcel 85 of grid 20 of tax map 25 in the Leonardtown area of the Third Election District; and

WHEREAS the planning commission conducted a public hearing on the proposed amendment on May 26, 1998, and

WHEREAS the St. Mary's County Health Department has confirmed system and treatment failures of the schools' on-site sewage disposal facility, demonstrating the need for a replacement sewage disposal system to accommodate expansion of the Banneker and Loveville schools; and

WHEREAS the applicant has demonstrated the feasibility of replacing said on-site system with a connection to the Leonardtown wastewater treatment plant; and

WHEREAS the requested amendment and proposed facility will not be available for service to development outside of growth areas designated by the 1988 St. Mary's County Comprehensive Plan, but will only accommodate alleviation of a confirmed environmental hazard; and

WHEREAS the planning commission finds the amendment to be compatible with section 9-506(a)(3) of the Environment Article of the Annotated Code of Maryland; and

WHEREAS on June 8, 1998 the planning commission voted to recommend to the board of county commissioners the approval of the amendment as requested; and

WHEREAS on July 28, 1998 the board of county commissioners conducted a public hearing on the proposed amendment and planning commission recommendation, and

WHEREAS on August 11, 1998 the board of county commissioners voted to amend said map IV-25 as requested.

NOW THEREFORE BE IT RESOLVED that the St. Mary's County Comprehensive Water and Sewerage Plan be amended as requested and as described in ATTACHMENT A hereto; and

BE IT FURTHER RESOLVED that the record of this case be forwarded to the Maryland Department of the Environment for action.

Date of adoption and effective date: OCTOBER 6, 1998

RECORDING FEE 0.00  
TOTAL 0.00  
Res: 1503 Rec: 1399999  
EMA LP BIK: 1551  
OCT 21 1998 02:35 PM

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

BARBARA R. THOMPSON, President

Barbara R. Thompson

D. CHRISTIAN BRUGMAN, Commissioner

OPPOSED

PAUL W. CHESSEBROUGH, Commissioner

Paul Chessebrough

FRANCES P. EAGAN, Commissioner

Frances P. Eagan

LAWRENCE D. JARBOE, Commissioner

ABSENT

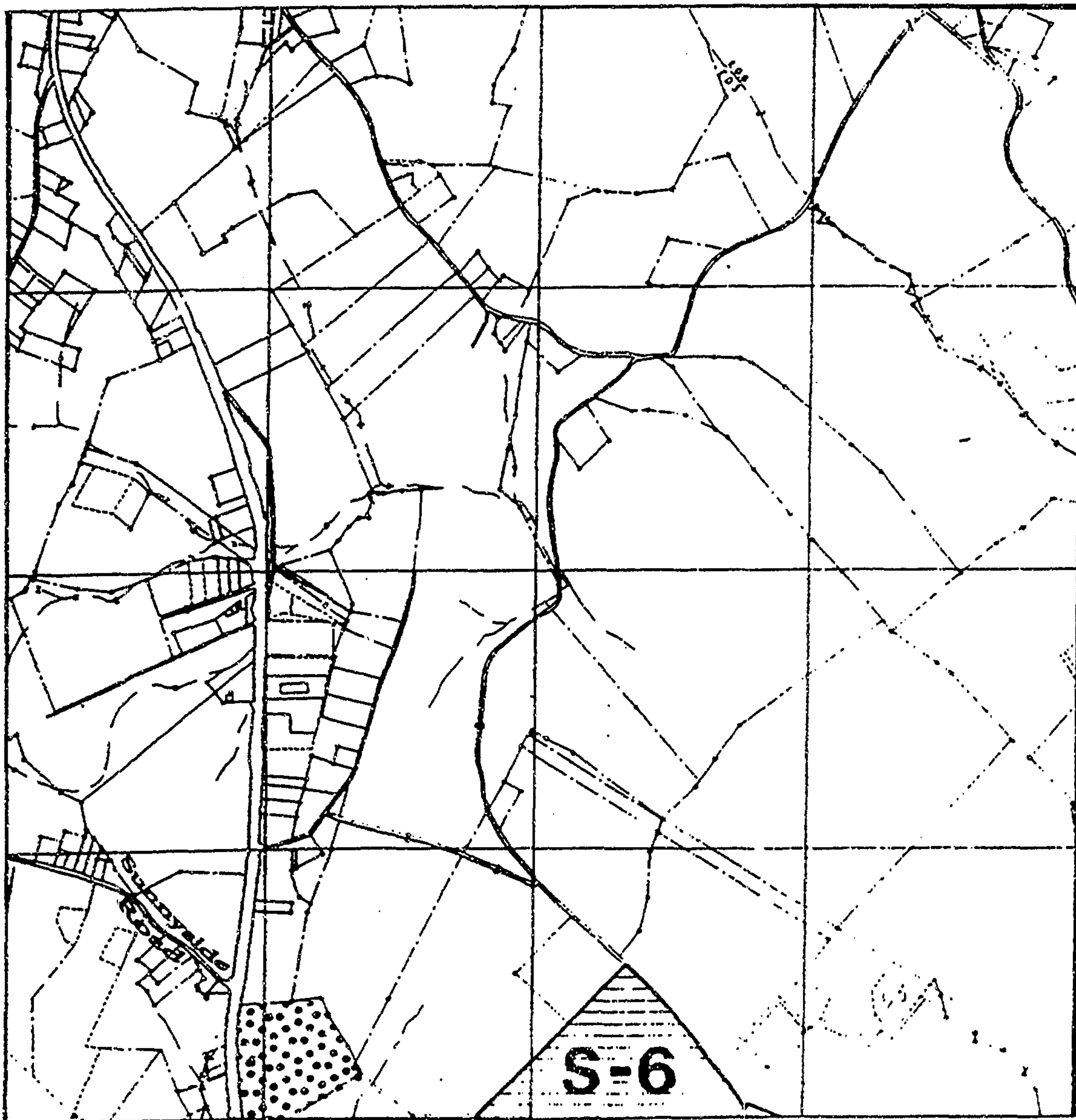
Attest:  
John J. Kachmar Jr.  
John J. Kachmar Jr.  
County Administrator



Attachment A

MAP IV - 25 AS AMENDED  
TO CREATE AN RSE SERVICE AREA  
PER CASE 98-0730

 NEW SERVICE AREA



Point Lookout Road (MD5)



RESOLUTION

WHEREAS, Article 25, Section 2, of the Annotated Code of Maryland, provides that the Board of County Commissioners of St. Mary's County shall have control over all public roads, streets and alleys in St. Mary's County, except in incorporated towns in St. Mary's County, and

WHEREAS, Article 25, Section 2, empowers the Board of County Commissioners to make rules and regulations for landscaping, maintenance of landscaping, and clean-up along said roads, streets, and alleys; and

WHEREAS, the existence of unsightly litter, garbage, posters and advertisements and other refuse along County roads detracts from the scenic and aesthetic beauty of St. Mary's County; and

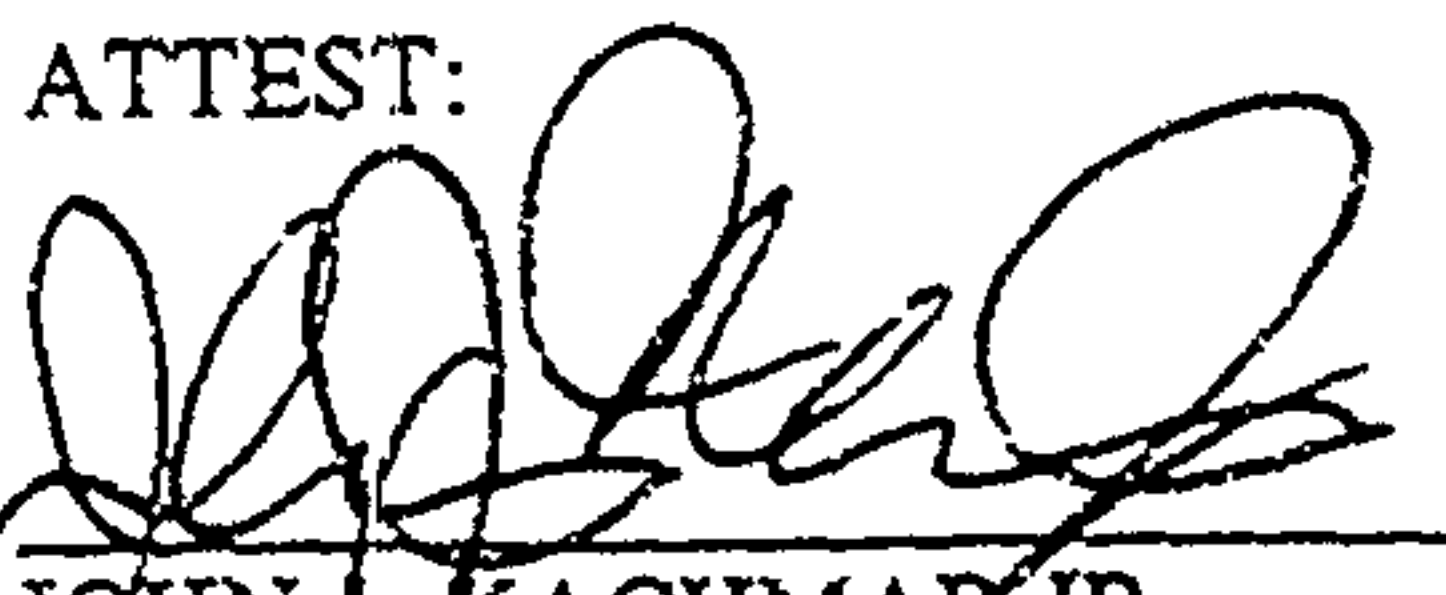
WHEREAS, the Board of County Commissioners wishes to preserve the aesthetic beauty of St. Mary's County by encouraging community organizations to voluntarily help clean up such refuse found on County roads within various communities, as well as provide landscaping services; and

NOW, THEREFORE, BE IT RESOLVED on this 20th day of October, 1998, as follows:

1. A homeowner's association, business, group, or other community organization may, on a voluntary basis, aid the St. Mary's County Department of Public Works in cleaning up those roads located within the subdivision or geographic area represented by the homeowner's association, business or community organization, by notifying the Department of Public Works of its intent to do so;
2. A homeowner's association, business, group or other community organization may, on a voluntary basis, aid the St. Mary's County Department of Public Works by landscaping entrances to subdivisions or communities, and maintaining said landscaping along those County roads located within the subdivision or community represented by the homeowner's association, business or community organization, by notifying the Department of Public Works of its intent to do so;
3. Any organization notifying the Department of Public Works of its intent to help keep the County roads clean, or landscaping along such County roads, shall clean and maintain such landscaping along those roads located in the community which the community organization represents at least four (4) times a year, and more frequently if so desired by the organization;
4. The Application, Guidelines, Safety Procedures and Road Maintenance Agreement to be utilized in conjunction with the adoption of this Program are identified as a part of this resolution, and may be amended from time to time by the Department Public Works.

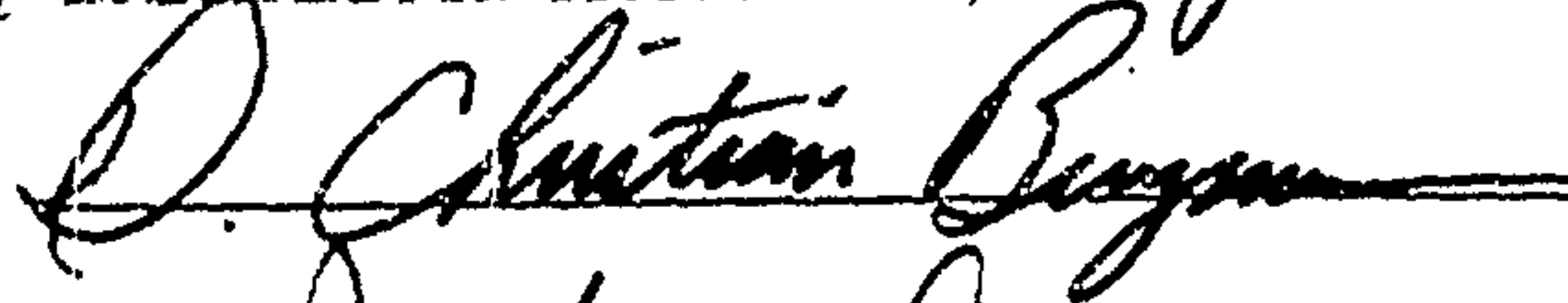
RECORDING FEE 8.00  
 TOTAL 8.00  
 Res#5983 Rcpt#999999  
 EWA TLC BIK#1772  
 Oct 23, 1998 03:14 PM

DATE OF ADOPTION: 10-20-98  
 EFFECTIVE DATE: 10-20-98

ATTEST:  
  
 JOHN J. KACHMAR JR.  
 COUNTY ADMINISTRATOR

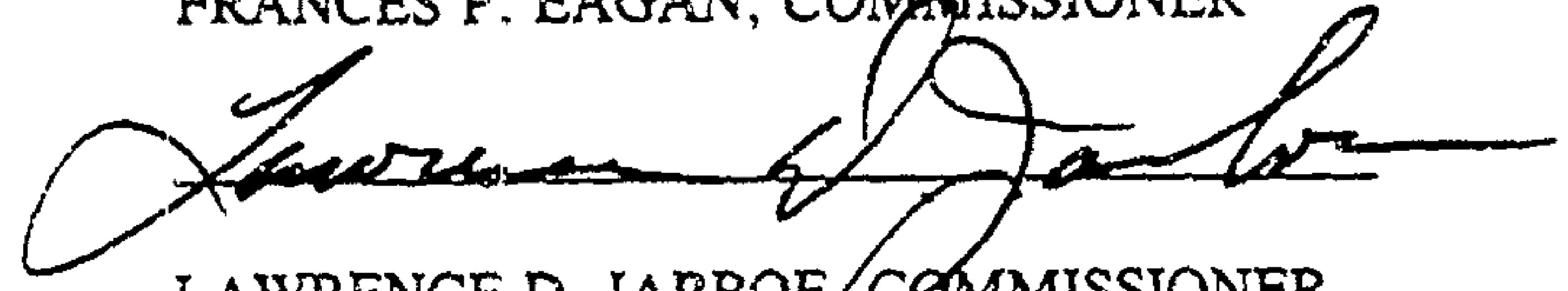
BOARD OF COUNTY COMMISSIONERS  
 OF ST. MARY'S COUNTY, MARYLAND

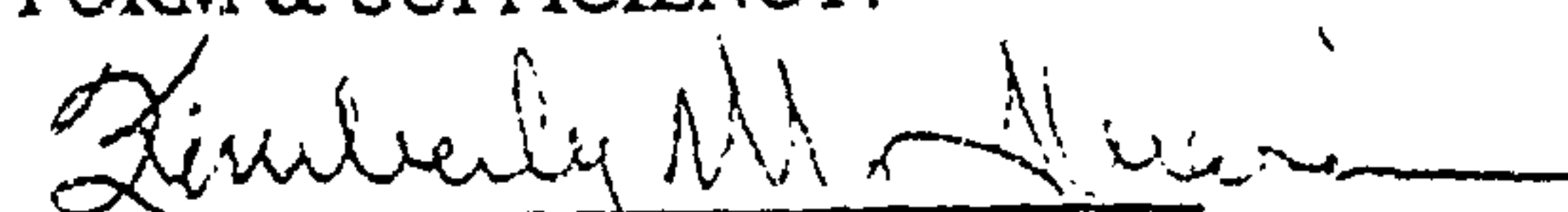
  
 BARRARA R. THOMPSON, PRESIDENT

  
 D. CHRISTIAN BRUGMAN, COMMISSIONER

  
 PAUL W. CHESSE, COMMISSIONER

  
 FRANCES P. EAGAN, COMMISSIONER

  
 LAWRENCE D. JARBOE, COMMISSIONER

APPROVED AS TO LEGAL  
 FORM & SUFFICIENCY:  
  
 KIMBERLY M. SHEARIN  
 ASSISTANT COUNTY ATTORNEY



ST. MARY'S COUNTY GOVERNMENT

*DEPARTMENT OF PUBLIC WORKS*

44825 St. Andrews Church Road

P. O. Box 508

California, MD 20619

*Adopt-A-Road Program  
Guidelines*

1. No individual and/or community groups will be permitted to clean or landscape along County roadways deemed unsafe by the Department of Public Works (DPW).
2. Roadways should be adopted for a minimum of two (2) years. At least four (4) clean-up activities must be performed each year.
3. The citizens group or business organization must sign an agreement with DPW to verify that safety rules are understood and followed.
4. Each adopting group shall coordinate clean-up activities, training, direct all questions and submit all reports to the designated DPW contact person.
5. Group leaders are advised to view the safety video available for loan by DPW. The group leaders shall then train their group members on all safety measures before any work can begin.
6. Groups with members under the age of 16 must have a group leader age 18 or older. The minimum age for participation is 12.
7. There must be one (1) adult for every five (5) participants between the ages of 12 and 16.
8. All recyclable materials collected by the group may be redeemed and the proceeds may be kept for the group.
9. All clean-up activities must be scheduled at least one (1) week in advance.
10. Group members are not to remove any animal carcasses. Animal carcasses should be reported immediately to DPW, County Highway Maintenance Division.
11. Upon completion of each clean-up activity, group leaders must ensure that all trash is bagged, sealed and placed in an approved location, (i.e. one or both of the "Adopt-A-Road" signs). Unless otherwise arranged, the group leader will coordinate with DPW for the pick up of all trash.
12. Supplies should be returned within one (1) week after the clean-up activity. Extensions may be granted by DPW upon request.



*DEPARTMENT OF PUBLIC WORKS*  
44825 St. Andrews Church Road  
P. O. Box 508  
California, MD 20619

*Adopt-A-Road Program*  
Safety Procedures

1. Group leaders must be 18 years or older and review all safety procedures provided by DPW. Group leaders must travel the adopted roadway area to help familiarize themselves with any potential hazards before performing the first clean-up activity.
2. Group leaders are responsible for training their group members on all safety procedures, and should watch the "Adopt-A-Highway Pickup Crew Safely" video produced by the State Highway. This film is available at DPW. Group members should be also informed on possible contact with poisonous plants, snakes, insect nests, etc.
3. When scheduling clean-up activities, members should meet in advance and carpool to the site. Cars must be parked as far off onto the shoulder as possible. Keep the amount of cars to a minimum.
4. All group leaders and group members will be furnished with an orange vest, cap, litter getters and litter bags. **SAFETY VESTS MUST BE WORN AT ALL TIMES!** It is also suggested that light color clothing, long sleeves, gloves and sturdy soled footwear (provided by the participant) be worn.
5. Group leaders are to inform DPW immediately of any hazardous materials that are found during clean-up activities. **GROUP MEMBERS ARE NOT TO REMOVE OR TOUCH ANY MATERIALS THAT APPEAR TO BE HAZARDOUS!**
6. All clean-up activities are to be performed during daylight hours and during good weather conditions.
7. Two (2) safety warning signs must be placed (one at the beginning and one at the end of the work site) to caution motorists that clean-up activities are being performed.
8. Clean-up activities are to be performed only off the roadway. No clean-up activities are to be performed in the roadway itself.
9. The responsibility of safe use and maintenance of equipment used by the group is the responsibility of the respective group members.
10. Group members must work facing on-coming traffic at all times and stay away from the actual roadway.
11. Construction sites must be avoided.
12. Upon completion of all clean-up activities, safety warning signs must be removed.
13. Alcoholic beverages are prohibited at all times.



ST. MARY'S COUNTY GOVERNMENT

DEPARTMENT OF PUBLIC WORKS  
44825 St. Andrews Church Road  
P. O. Box 508  
California, MD 20619

*Adopt-A-Road Program*  
Application

Name of Roadway: \_\_\_\_\_

Beginning at: \_\_\_\_\_

Ending at: \_\_\_\_\_

Name of Group: \_\_\_\_\_

Address: \_\_\_\_\_  
\_\_\_\_\_

\*\*\*\*\*

Group Leader: \_\_\_\_\_

Home Phone: \_\_\_\_\_ Work Phone: \_\_\_\_\_

Number of Group Members: \_\_\_\_\_ Age Span of Members: \_\_\_\_\_ to \_\_\_\_\_

Group Affiliation: \_\_\_\_\_ Civic \_\_\_\_\_ Religious \_\_\_\_\_ Business \_\_\_\_\_  
\_\_\_\_\_ Social \_\_\_\_\_ School \_\_\_\_\_ Other \_\_\_\_\_

Description of Activity:  
(check appropriate boxes) \_\_\_\_\_ Litter Pickup \_\_\_\_\_ Mowing \_\_\_\_\_  
\_\_\_\_\_ Landscaping \_\_\_\_\_

Name to Appear on  
*Adopt-A-Road Program* \_\_\_\_\_

NOTE: A Certificate of Insurance must be submitted by each participating Civic Association as a part of the Application.

\_\_\_\_\_

\_\_\_\_\_



ST. MARY'S COUNTY GOVERNMENT

DEPARTMENT OF PUBLIC WORKS  
44825 St. Andrews Church Road  
P. O. Box 508  
California, MD 20619

*Adopt-A-Road Program*  
Road Maintenance Agreement

THIS AGREEMENT by and between \_\_\_\_\_, herein called the "Group" and the Department of Public Works, St. Mary's County, Maryland, herein called the "DPW", WITNESSETH THAT:

WHEREAS, the Group has requested permission to (landscape, clean-up) \_\_\_\_\_ Road between \_\_\_\_\_ and \_\_\_\_\_ for a minimum of two (2) year period.  
(nearest intersecting road) (nearest intersecting road)

NOW, THEREFORE, in consideration of the mutual benefits received by DPW and the Group from participation in the *Adopt-A-Road* Program, the parties hereto agree as follows:

1. DPW hereby grants permission to the Group to adopt \_\_\_\_\_ Road between \_\_\_\_\_ and \_\_\_\_\_ for a period beginning \_\_\_\_\_ and ending \_\_\_\_\_.
2. The Group accepts responsibility for collecting, in bags, all litter on the above described roadway (or designated portion of roadway) in accordance with the *Adopt-A-Road* Program Guidelines and Safety Requirements.
3. By signature below, the Group acknowledges that each of its members participating in the program has been advised of the potential hazard associated with the work and each member has read and has agreed to abide by the Guidelines and Safety Requirements.
4. DPW will provide the Group with safety vests, plastic trash bags, litter getters, two (2) safety warning signs and will, upon request, install two (2) *Adopt-A-Road* Program signs, one posted in each direction of the adopted roadway area.
5. All maintenance activities are to be performed during daylight hours and during fair weather conditions.
6. The Group, or Association, shall be responsible for and shall defend, indemnify and hold harmless the Board of County Commissioners for St. Mary's County, Maryland for any or all liability or claim of liability for personal injury, death, or property damage, including reasonable attorney fees arising out of their participation in the *Adopt-A-Road* Program.

IN ACKNOWLEDGEMENT WHEREOF, the parties to this Agreement have herein below affixed the signatures of their duly authorized representatives.

GROUP NAME: \_\_\_\_\_  
 \_\_\_\_\_  
 (Signature)  
 \_\_\_\_\_  
 (Printed Name)  
 \_\_\_\_\_  
 (Title)  
 \_\_\_\_\_  
 (Mailing Address)  
 \_\_\_\_\_  
 (State / Zip)  
 \_\_\_\_\_  
 (Phone Number)

\*\*\*\*\*  
APPROVED BY THE DEPARTMENT OF PUBLIC WORKS:

By: \_\_\_\_\_ Date: \_\_\_\_\_  
George A. Erichsen, P.E.  
Director



BOOK 0014 PAGE 0031

Ordinance No. 298-05  
SUBJECT: Zoning Ordinance Amendment  
Juvenile Detention Facilities  
Page 1 of 2

ORDINANCE

AN ORDINANCE FOR PURPOSES OF LIMITING THE REGULATIONS OF ST. MARY'S COUNTY IN WHICH JUVENILE DETENTION FACILITIES AND OTHER SIMILAR TYPES OF INSTITUTIONS MAY BE PERMITTED.

Recitals

RECORDING FEE 8.00  
TOTAL 8.00  
Rest#5463 Rcpt#999999  
EMA MAR 31:469  
Nov 02, 1998 10:36 am

WHEREAS, the Board of County Commissioners desires to amend the Zoning Ordinance to limit those areas of St. Mary's County in which juvenile detention facilities and other similar types of institutions may be permitted; and

WHEREAS, in accordance with Article 66B, Section 3.05(d) of the Annotated Code of Maryland, the Planning Commission has the authority to recommend appropriate regulations in a zoning ordinance; and

WHEREAS, the Planning Commission made a final recommendation for approval dated August 10, 1998, subsequent to holding a public hearing on August 10, 1998 which was advertised in the local newspaper on July 24, 1998 and July 31, 1998, as required by Article 66B, Section 3.05(d) of the Annotated Code of Maryland; and

WHEREAS, pursuant to section 70.1.1 of the St. Mary's County Zoning Ordinance, the Board of County Commissioners may, from time to time, amend the zoning regulations upon its own motion; and

WHEREAS, the Board of County Commissioners on April 14, 1998, adopted a motion directing the amendment of the zoning ordinance; and

WHEREAS, a public hearing was held on September 29, 1998 which was advertised on September 11, 1998 and September 18, 1998 in the local newspaper in accordance with Article 25, Section 3(r) and Article 66B, Section 3.05(d) and Sections 4.04(a) and (b), and Section 4.05(a) of the Annotated Code of Maryland.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, that the Zoning Ordinance shall be amended to add subsection 10.9.2 and renumber the existing section 10.9.2 as 10.9.3, as follows:

**SECTION 10.9 PROHIBITED USES**

2. Private detention centers and private juvenile detention facilities are prohibited within all zoning districts.

SECTION 2. SEVERABILITY: In the event any portion of this ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

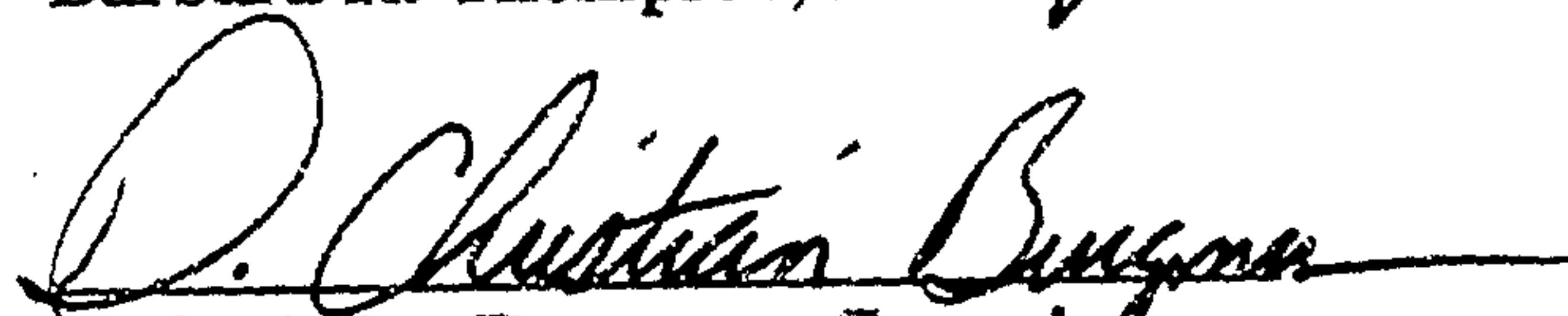


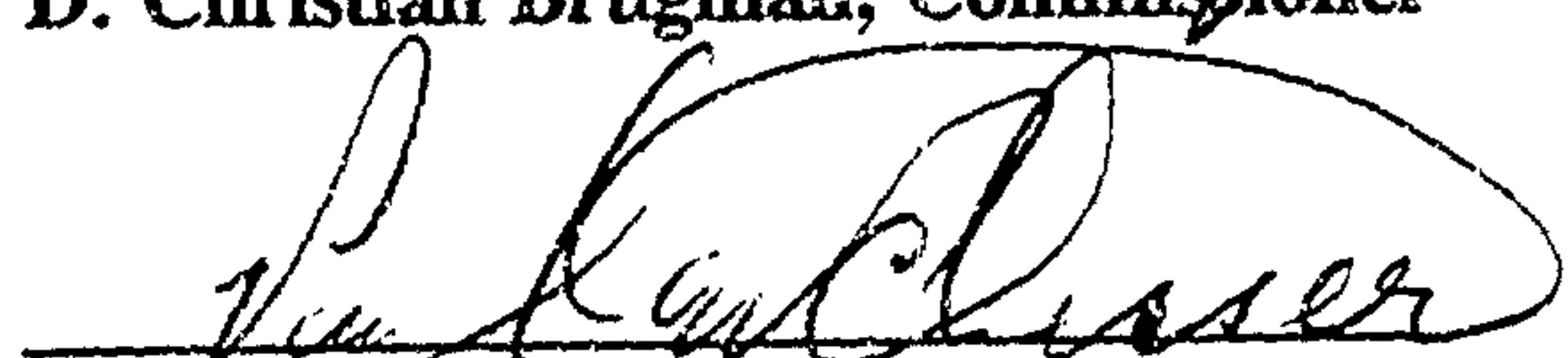
SECTION 3. AND BE IT FURTHER ENACTED that this Ordinance shall take effect \_\_\_\_\_.

DATE OF ADOPTION: 10-27-98

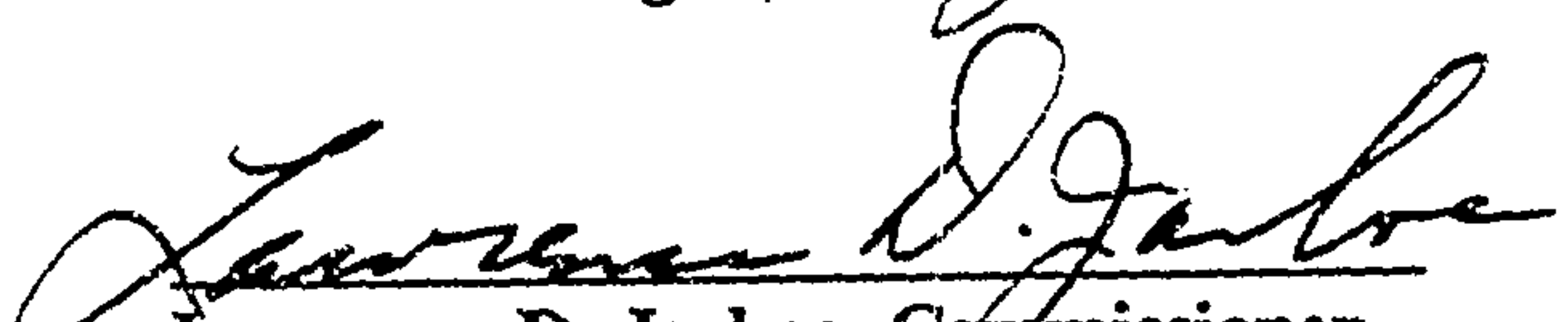
BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

  
Barbara R. Thompson, President


  
D. Christian Brugman, Commissioner

  
Paul W. Chesser, Commissioner

  
Frances P. Eagan, Commissioner

  
Lawrence D. Jarboe, Commissioner

ATTEST:

  
John J. Kachmar, County Administrator



No. 98-45  
Subject: SFY98 CDBG  
Grant Application -  
Dakota Place Family Center

RESOLUTION

**WHEREAS**, State of Maryland through the Department of Housing and Community Development has solicited applications from eligible jurisdictions to apply for funding Under the Federal Small Cities Community Development Block Grant (CDBG) Program;  
And

**WHEREAS**, St. Mary's County is eligible to apply for funds from the Small Cities CDBG program through the Maryland Department of Housing and Community Development; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County has held the required public hearing(s) related to the formulation of the County's Block Grant Application; and

**WHEREAS**, the Board of County Commissioners for St. Mary's County has designated funds in its FY'99 Capital Budget for the development of a new Family Center; and

**WHEREAS**, this Board respectfully requests that the Secretary of Maryland Housing and Community Development and the Governor support St. Mary's County's efforts in developing the much needed Dakota Place Family Center;

**NOW THEREFORE, BE IT RESOLVED**, that the Board of County Commissioners for St. Mary's County authorize the submittal of an application for Community Development Block Grant funds in the amount of \$770,000 this 27<sup>th</sup> day of October 1998, and

**BE IT FURTHER RESOLVED**, that Barbara R. Thompson, President is authorized and empowered to execute any and all documents required for the submission of the application.

DATE OF ADOPTION: October 27, 1998

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

EFFECTIVE DATE: October 27, 1998

*Barbara R. Thompson*  
BARBARA R. THOMPSON, President

*D. Christian Brugman*  
D. CHRISTIAN BRUGMAN, Commissioner

*Paul W. Chesser*  
PAUL W. CHESSER, Commissioner

*Frances P. Eagan*  
FRANCES P. EAGAN, Commissioner

*Lawrence D. Jarboe*  
LAWRENCE D. JARBOE, Commissioner

ATTEST:

*Judith A. Spalding*

RECORDING FEE 0.00  
TOTAL 0.00  
REC-98083 RCP-19980999  
EMA HAB BIK#63  
NOV 02, 1998 10:37 AM



BOOK 0014 PAGE 0034

Ordinance No. 298-06  
SUBJECT: Zoning Ordinance Amendment  
Temporary Signs  
Page 1 of 2

ORDINANCE

AN ORDINANCE FOR THE PURPOSE OF PROVIDING THOSE AREAS OF ST. MARY'S COUNTY IN WHICH CERTAIN TEMPORARY SIGNS MAY BE PERMITTED AND DISPLAYED.

RECORDING FEE 8.00  
TOTAL 8.00  
Rec#SM03 Rcpt#999999  
E44 HAB BLK#69  
Nov 02, 1998 10:38 am

Recitals

WHEREAS, the Board of County Commissioners desires to amend the Zoning Ordinance to provide those areas of St. Mary's County in which certain temporary signs may be permitted and displayed.

WHEREAS, in accordance with Article 66B, Section 3.05(d) of the Annotated Code of Maryland, the Planning Commission has the authority to recommend appropriate regulations in a zoning ordinance; and

WHEREAS, the Planning Commission has made a final recommendation for approval dated August 24, 1998, after holding a public hearing on August 10, 1998 and continued to August 24, 1998 and which was advertised in the local newspaper on July 24, 1998 and July 31, 1998, as required by Article 66B, Section 3.05(d) of the Annotated Code of Maryland; and

WHEREAS, pursuant to section 70.1.1 of the St. Mary's County Zoning Ordinance, the Board of County Commissioners may, from time to time, amend the zoning regulations upon its own motion; and

WHEREAS, the Board of County Commissioners on April 14, 1998, adopted a motion directing the amendment of the zoning ordinance; and

WHEREAS, a public hearing was held on September 29, 1998 which was advertised on September 11, 1998 and September 18, 1998 in the local newspaper in accordance with Article 25, Section 3(r) and Article 66B, Section 3.05(d) and Sections 4.04(a) and (b), and Section 4.05(a) of the Annotated Code of Maryland.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, that the Zoning Ordinance shall be amended as following by adding the following language:

- (1) *to section 58.3.2.c(1)*: may be displayed thirty (30) days in advance of the event advertised including signs displayed on barns, trucks, trailers and similar structures and vehicles; and shall be removed within fifteen (15) days after the event;
- (2) and to Section 80.2 DEFINITIONS, the following sentence at the end of the existing definition:

SIGN, PORTABLE – Public service and special event signs as described in Section 58.3.2.c are excluded from this definition.

SECTION 2. SEVERABILITY: In the event any portion of this ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.



BOOK: 0014 PAGE 0035


Ordinance No. 298-06  
SUBJECT: Zoning Ordinance Amendment  
Temporary Signs  
Page 2 of 2

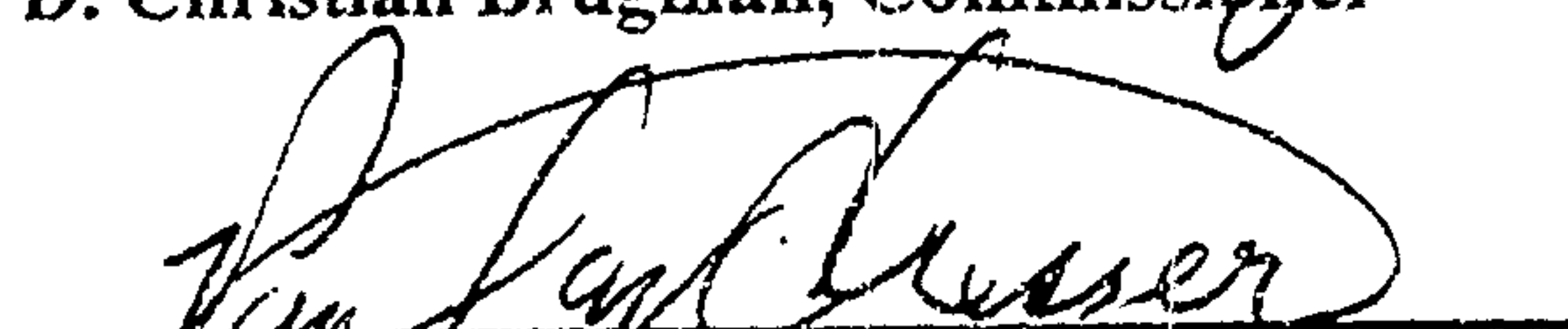
SECTION 3. AND BE IT FURTHER ENACTED that this Ordinance shall take effect

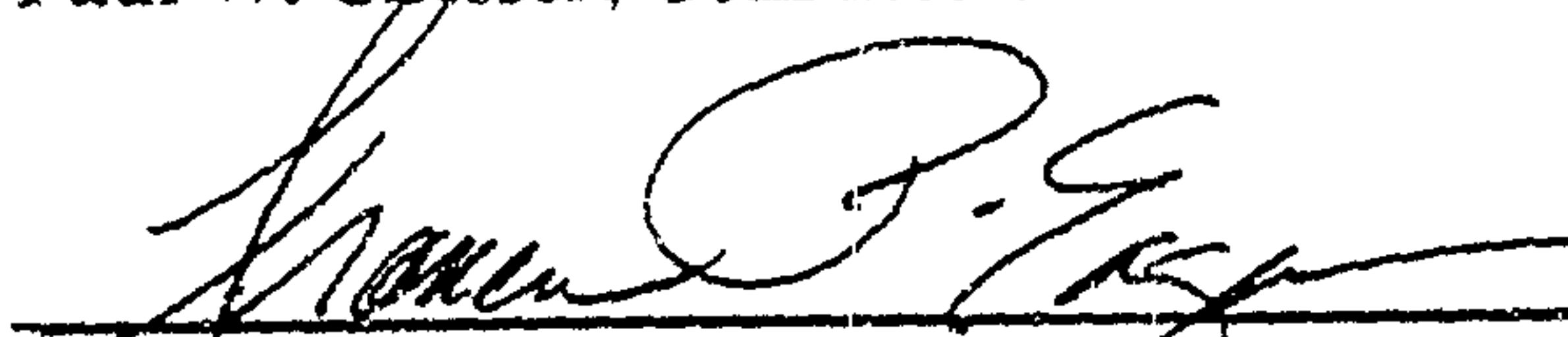
DATE OF ADOPTION: 10-27-94

BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

  
Barbara R. Thompson, President

  
D. Christian Brugman, Commissioner

  
Paul W. Chesser, Commissioner

  
Frances P. Eagan, Commissioner

  
Lawrence D. Jarboe, Commissioner

ATTEST:

  
John J. Kachmar, County Administrator



No.: 98-46

Subject: **Homestead Tax Credit  
Percentage for St. Mary's  
County Property Taxes**

BOOK **0014** PAGE **0036**

**ORDINANCE**

**WHEREAS**, Section 9-105 of the Tax Property Article of the Annotated Code of Maryland as amended via 1991 Laws of Maryland, Chapter 12, provides that for the fiscal year beginning with July 1, 1991, the County Commissioners shall establish and determine, for County tax purposes, the limit of the increases in taxable assessments of certain owner occupied dwellings.


**WHEREAS**, following deliberation, the Board of County Commissioners of St. Mary's County, Maryland have concluded it is in the best interest of the citizens of St. Mary's County to establish the Homestead Tax Credit percentage at one hundred five (105%) percent.

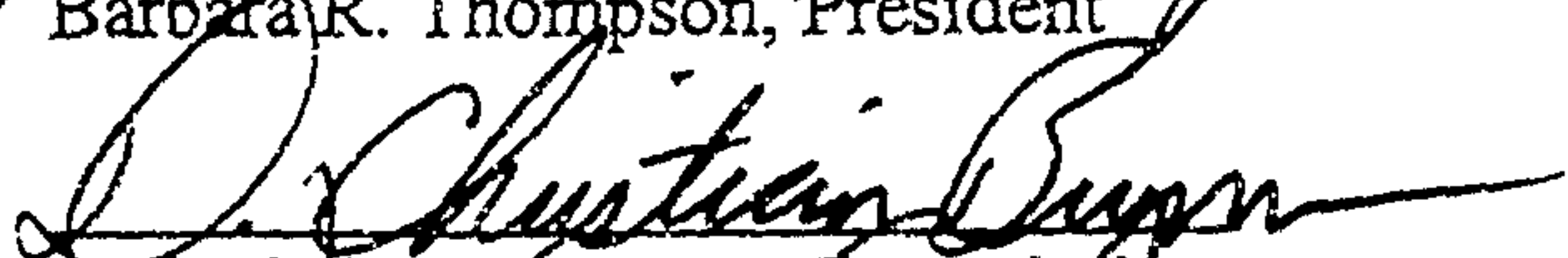
**WHEREAS**, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, October 27, 1998 pursuant to Notice published on or about October 14 and October 21, 1998 in the Enterprise.


**NOW, THEREFORE, BE IT ORDAINED** this 10th day of November, 1998, by the Board of County Commissioners of St. Mary's County that a Homestead Tax Credit percentage for property owners as described and provided for in Section 9-105 of the Tax Property Article, Annotated Code of Maryland, as aforesaid, of one hundred five (105%) percent is hereby established. Such Homestead Tax Credit shall be applicable for the tax year beginning July 1, 1999 and any subsequent year, provided that on or before November 15, 1998 and any year thereafter, the Board of County Commissioners of St. Mary's County, Maryland, may alter by law, the Homestead Tax Credit percentage for the taxable year beginning the following July 1, and any subsequent year, provided that the Homestead Tax Credit herein provided for may not exceed the maximum provided by State law. Such Homestead Tax Credit shall be subject to all provisions, restrictions and conditions provided from time to time by State law. The Homestead Property Tax Credit provided for in this Ordinance shall apply to County taxes and the municipal taxes of municipalities in St. Mary's County only if the municipal corporation has not established a Homestead Property Tax Credit of its own. The Homestead Tax Credit shall apply only to such taxes as may become due after June 30, 1999.

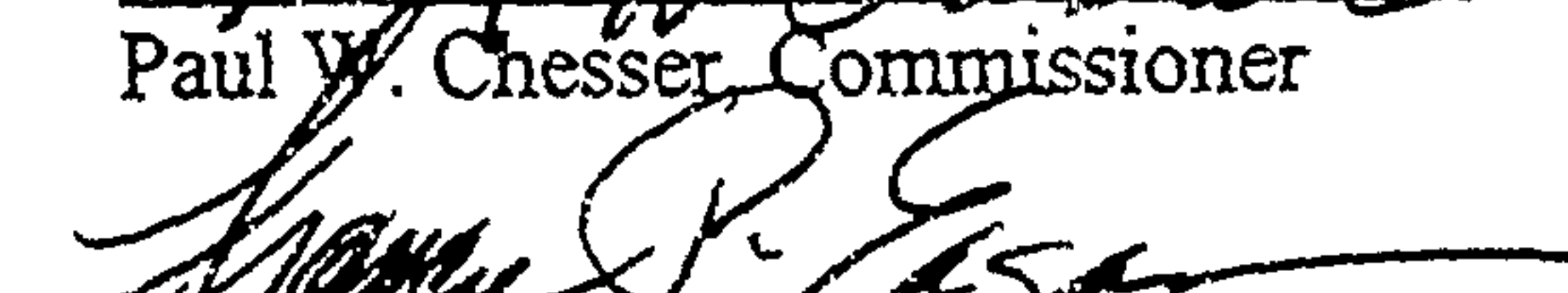
Date of Adoption: November 10, 1998  
Effective Date: July 1, 1999


BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND


  
Barbara R. Thompson, President

  
D. Christian Brugman, Commissioner

  
Paul W. Chesser, Commissioner

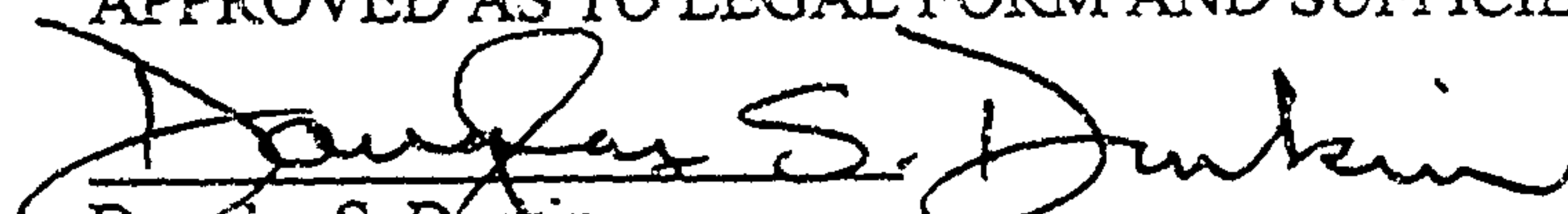
  
Frances P. Egan, Commissioner

  
Lawrence D. Jarboe, Commissioner

ATTEST:  
  
John J. Kachmar, Jr.  
County Administrator

RECORDING FEE 8.00  
TOTAL 8.00  
Res#SM83 Rec#t#999999  
EMA LP Blk#1392  
Nov 17, 1998 10:14 am

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

  
Douglas S. Durkin  
County Attorney 10-7-98



FOR THE PURPOSE of repealing and readopting Code of St. Mary's County, Section 158-6 of the St. Mary's County Ethics Ordinance to include those Boards and Commissions previously omitted to file a Financial Disclosure Statement

ORDINANCE

WHEREAS, Title 19A, Subtitle 04, Chapter 02, Section 02 of the Code of Maryland Regulations (COMAR) provides that part-time members of boards and commissions should be included in financial disclosure provisions;

WHEREAS, the current St. Mary's County Code of Ethics contains a provision regarding financial disclosure statements whereby members of only certain appointed boards and commissions are included in the current financial disclosure requirements while many others are excluded from the financial disclosure requirements;

WHEREAS, the St. Mary's County Ethics Commission has reviewed and discussed said ordinance provision, and has concluded that revisions are appropriate for purposes of expanding the filing requirement;

WHEREAS, in a meeting with the St. Mary's County Ethics Commission on June 2, 1998, the Board of County Commissioners discussed proposed amendments with the St. Mary's County Ethics Commission and granted authorization to publish notice for public hearing relative to an amendment as then discussed;

WHEREAS, the State Ethics Commission as required by State Government Article, Section 15-205(a)(1), (a)(4) and (b), and Section 15-808, and by Code of Maryland Regulations, Section 19A.04.03.01 and Section 19A.04.03.02, reviewed and approved the St. Mary's County draft Ethics Ordinance;

WHEREAS, notice of public hearing was published on October 24, 1998 and November 4, 1998 in The Enterprise, a newspaper of general circulation for the purpose of conducting a public hearing on the proposed draft Ethics Ordinance; and

WHEREAS, the Board of County Commissioners conducted a public hearing on November 10, 1998;

SECTION 1. NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners of St. Mary's County, Maryland that Section 158-6 of the St. Mary's County Code is repealed and readopted as follows:

A. The following boards, commissions, and committees, including ad hoc committees and task forces appointed by the Board of County Commissioners or by any other board or commission, and the officials, employees, and candidates for office as such when the positions are elective are required to file the financial disclosure statements as provided in this section:

1. Board of County Commissioners.
2. County Treasurer.
3. County Administrator.
4. County Attorney.
5. Assistant County Attorney.
6. Director of Finance.
7. Director, Department of Human Resources.
8. Procurement Officer.
9. Director, Department of Public Works.
10. Director, Office of Capital Projects.

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3102 Ropt#999999  
ENA NB BIK#79  
Dec 01, 1998 04:15 PM



11. Director, Economic and Community Development.
12. Director, Office on Aging.
13. Director, Emergency Management Agency.
14. Director, Planning and Zoning.
15. Director, Recreation and Parks.
16. Director, Office of Community Services.
17. Airport Commission.
18. Agricultural Preservation Advisory Board.
19. Historic Preservation Board.
20. Board of Education.
21. Alcoholic Beverage Board.
22. Economic Development Commission.
23. Electrical Examiners Board.
24. Housing Authority.
25. Metropolitan Commission.
26. Planning Commission.
27. Zoning Board of Appeals.
28. Plumbing Board.
29. Recreation and Parks Advisory Board.
30. Ethics Commission.
31. Building Authority Commission.
32. Members of ad-hoc committees providing advice and/or recommendations regarding acquisition, zoning, or designation of land, whether appointed by the Board of County Commissioners or appointed by other local government boards or commissions authorized to make such appointments.

B. Any person who is newly appointed to an employee position listed in Subsection A above shall, together with acceptance of employment, file a financial disclosure statement containing the necessary information for the calendar year immediately preceding the official appointment date.

C. All members of boards, commissions, and committees listed in Subsection A above, and all members of ad hoc committees and task forces providing advice and/or recommendations regarding acquisition, zoning, or designation of land, whether appointed by the Board of County Commissioners, or appointed by other local government boards or commissions authorized to make such appointments, shall, together with the member's acceptance letter, submit a financial disclosure statement which shall include disclosure of any and all potential conflicts of interest that may be foreseeable as a result of accepting the board, commission, or committee appointment.

D. Candidates for elected office shall simultaneously file a financial disclosure statement with the candidate's registration of candidacy for office with the St. Mary's County Board of Supervisors of Elections.

E. Thereafter, the officials, candidates, appointees and employees identified in Subsection A hereof shall all file the required statement with the Ethics Commission on or before the 30th day of April of each year for the calendar year immediately preceding during any part of which the official, appointee or employee held an office or position, or was a candidate for office.

F. Upon leaving office:

1. Any official or employee who leaves an office identified in Subsection A for any reason, except the official's death, shall within thirty (30) days after the departure date file a financial disclosure statement covering any period or periods for which the official or employee has not filed such a statement, including all required information up to the date of departure.

2. An official or employee who leaves one office identified in Subsection A hereof for another such office shall not be required to file a financial disclosure statement in accordance with Subsection A above if the official or employee has filed the currently required statement in the former position or office.

G. All financial disclosure statements required by this section shall be on a form provided by the Commission, Shall be signed and sworn to before a notary public by the person



required to file and shall disclose the following information concerning the interests of said person:

1. Interests in real property.

a. A listing of all real property, wherever located, in which the person has an interest, including the location of the property by either street address, mailing address or otherwise, and also including its size in acres or square footage or its dimensions;

b. The nature of the property (whether residential, commercial, industrial, etc.) and the extent of the interest held, including any conditions thereto and encumbrances thereon; i.e., mortgages, liens, life estate, reversionary interest, etc; and

c. The identity of any other person with an interest in the property.

2. Interests in business entities.

a. The name and address of all business entities in which a financial interest as defined herein was held at any time during the reporting period, whether or not the business entity does business with the county.

b. If any business entity listed in response to the reporting requirement in Subsection G(2)(a) above is either doing business with the county or doing business in the county or is the owner of real property in the county, then the names and addresses of all partners, shareholders or other investors holding a five percent (5%) or greater ownership interest in such entity or entities shall be listed if legally and reasonably ascertainable. Such disclosure shall not be required where the business entity is a publicly held company traded on a national stock exchange.

3. Gifts received during the reporting period from persons or business entities doing business with the county and as to each such gift the nature and value thereof, the identity of the donor from whom or on behalf of whom, directly or indirectly, it was received and if given to another person at the direction of the official or employee required to file, the identity of that person.

4. Any office, directorship, partnership or salaried employment in any business entity held during the reporting period other than those listed in response to Subsections G(2) and G(3) above in which an interest was held.

5. The name and address of any person to whom or entity to which the official or employee was indebted at any time during the reporting period. For the purpose of this subsection, "indebtedness" does not include retail credit accounts or any liability of less than one thousand dollars (\$1,000).

H. When April 30 or any other deadline for filing in this Section fall on a Saturday, Sunday or legal holiday, the financial disclosure filing date shall be extended to the next working day.

SECTION 2. FURTHER, BE IT ORDAINED in the event any portion of this ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

Those voting Aye: Commissioners Thompson, Brugman and Chesser

Those voting Nay: Commissioners Eagan and Jarboe

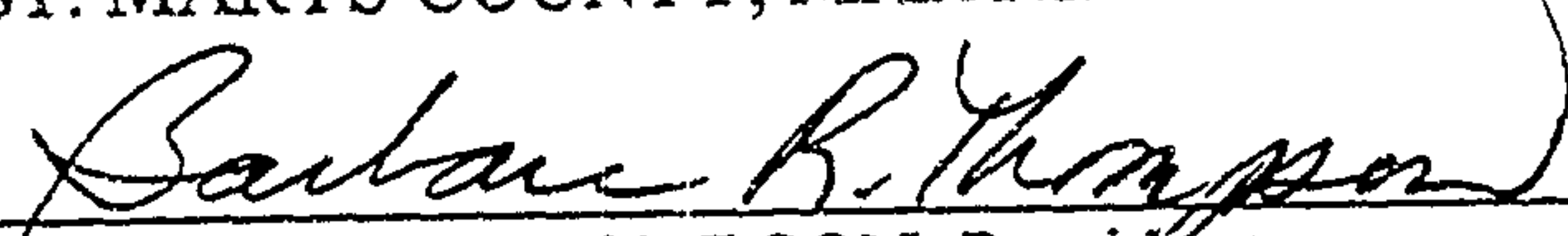
Those Absent: N/A

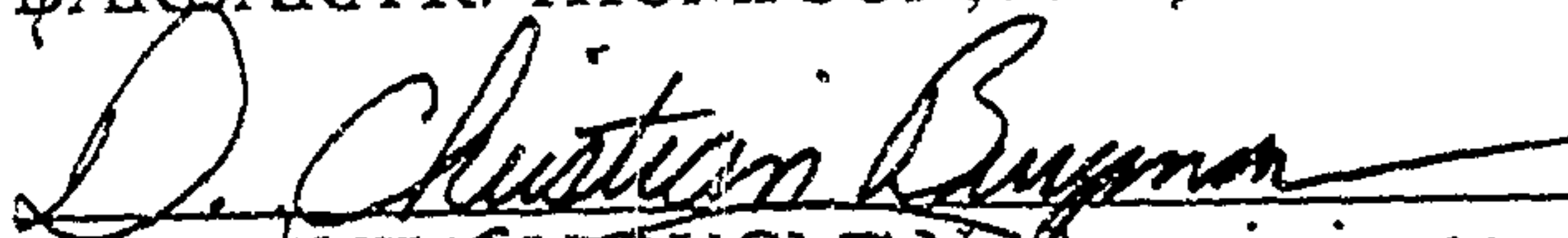



DATE OF ADOPTION: 11-24-98

EFFECTIVE DATE: 11-24-98

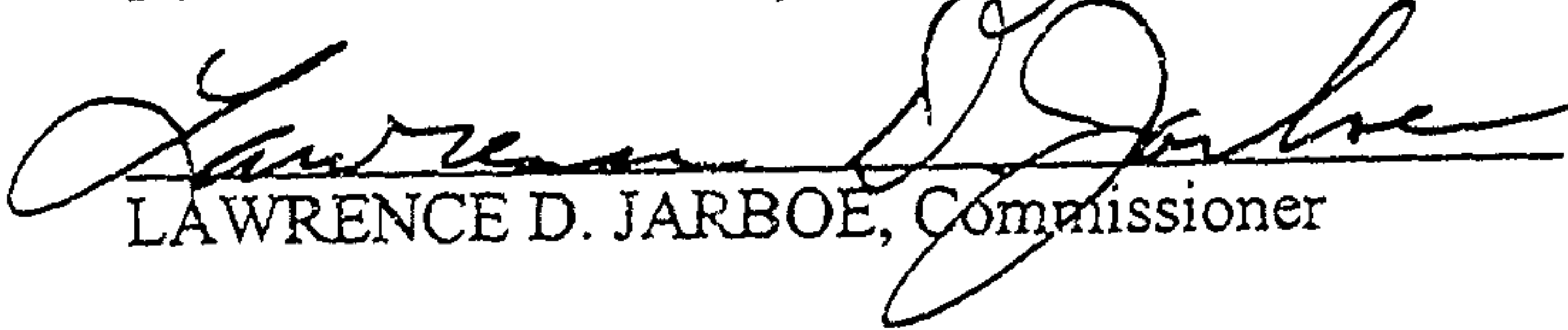
BOARD OF COUNTY COMMISSIONERS FOR  
ST. MARYS COUNTY, MARYLAND

  
BARBARA R. THOMPSON, President

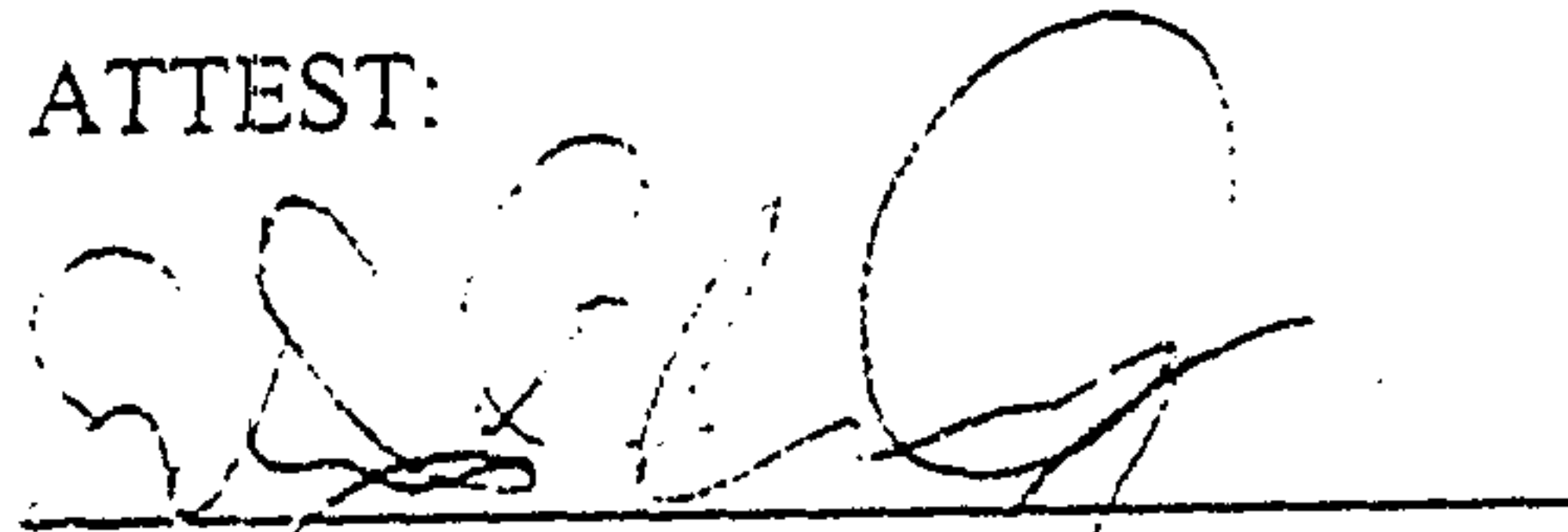
  
D. CHRISTIAN BRUGMAN, Commissioner

  
PAUL W. CHESSER, Commissioner

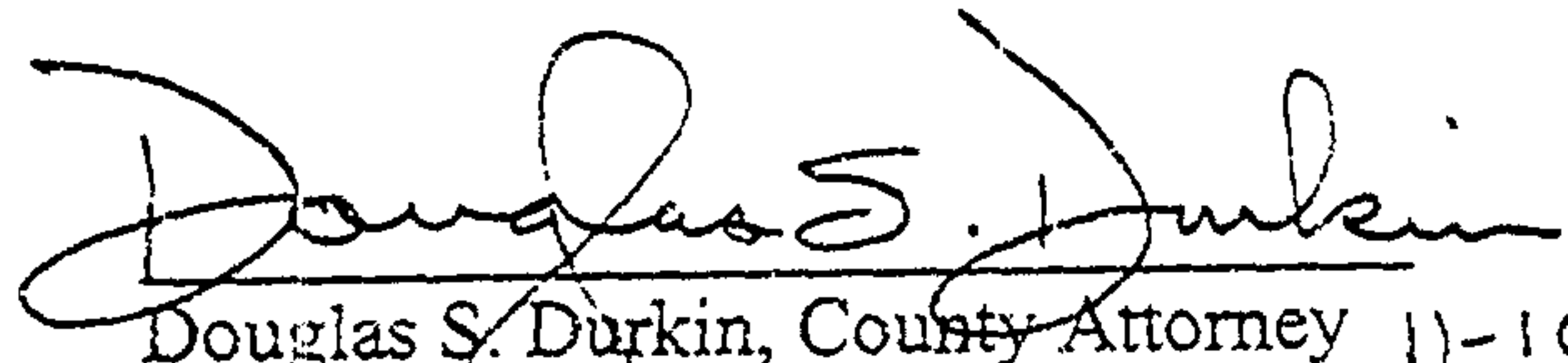
  
FRANCES P. EAGAN, Commissioner

  
LAWRENCE D. JARBOE, Commissioner

ATTEST:

  
JOHN J. KACHMAR, JR.  
County Administrator

APPROVED AS TO FORM  
AND LEGAL SUFFICIENCY:

  
Douglas S. Durkin, County Attorney 11-10-98



**RESOLUTION**

WHEREAS, the Board of County Commissioners desires to establish a policy for conformity as complying with the Maryland Public Information Act and the federal copyright laws;

WHEREAS, the lack of a County policy highlights the fact that the two laws have overlapping and conflicting provisions;

WHEREAS, such overlap and conflict has caused citizens to be denied access to copy a public record in at least one case;

WHEREAS, it has been determined that architectural and engineering documents are copyrightable;

WHEREAS, a balance of the interests of the citizens and holders of copyrights can best be served by a written policy.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, that County government may accept copyrighted materials submitted in pursuit of an official government permit or plan approval for which the drawings are prepared, only with a signed waiver as shown in attachment A, hereto.

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3402 Rpt#933993  
EMA NB B1k#79  
Dec 01, 1998 04:17 PM

ADOPTION DATE: 11-24-98

EFFECTIVE DATE: 11-24-98

**BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND**

Barbara R. Thompson  
Barbara R. Thompson, President

D. Christian Brugman  
D. Christian Brugman, Commissioner

Paul W. Chesser  
Paul W. Chesser, Commissioner

Frances P. Eagan  
Frances P. Eagan, Commissioner

Lawrence D. Jarboe  
Lawrence D. Jarboe, Commissioner

ATTEST: [Signature]  
John J. Kachmar, Jr.  
County Administrator



BOOK 0014 PAGE 0042

WAIVER

I \_\_\_\_\_, of \_\_\_\_\_ understand that:

- \* The federal Copyright Acts protect my copyrighted material from being reproduced without my prior authorization;
- \* St. Mary's County government agencies may, under the Fair Use Doctrine, reproduce my copyrighted material without my prior authorization for governmental use;
- \* My copyrighted work, when submitted to St. Mary's County government agencies for development and other related purposes, becomes part of the County's public record for governmental purposes;
- \* As part of the Maryland Public Information Act, members of the general public may request and receive a copy of St. Mary's County public records, which would be disseminated by the County for governmental purposes; and
- \* St. Mary's County government agencies cannot control the general public's reproduction of my copyrighted work once it has been disseminated for governmental purposes.

Therefore, I hereby waive any and all claims of liability against the Board of County Commissioners for St. Mary's County and any St. Mary's County government agencies to which I submitted by copyrighted work in the event that:

- \* Any member of the general public receives a copy of my copyrighted work from a St. Mary's County government agency;
- \* Any member of the general public who receives a copy of my copyrighted work from a St. Mary's County government agency reproduces my work without my prior authorization in violation of the federal copyright law; and
- \* I proceed to take legal action against any member of the general public who receives a copy of my copyrighted work from a St. Mary's County government agency and who reproduces my work without my prior authorization.

Signed,

\_\_\_\_\_  
Name

\_\_\_\_\_  
Company

\_\_\_\_\_  
Address  
\_\_\_\_\_

\_\_\_\_\_  
Notary Public



Ordinance No. Z 98-07

SUBJECT: Zoning Ordinance Amendment  
Photographic Studio or Lab  
Page 1 of 2

ORDINANCE

AN ORDINANCE FOR PURPOSES OF AMENDING THE ST. MARY'S COUNTY ZONING ORDINANCE BY DECLARING A PREVIOUSLY UNSPECIFIED USE (PHOTOGRAPHIC STUDIO OR LAB) AS A PERMITTED USE WITHIN THE INDUSTRIAL (I) ZONE.

Recitals

WHEREAS, the Board of County Commissioners desires to amend the Zoning Ordinance to permit a previously unspecified use (Photographic Studio or Lab) as a permissible use within the Industrial (I) zone; and

WHEREAS, in accordance with Article 66B, Section 3.05(d) of the Annotated Code of Maryland, the Planning Commission has the authority to recommend appropriate regulations in a zoning ordinance; and

WHEREAS, in accordance with Section 10.8.4 of the St. Mary's County Zoning Ordinance, the Planning Commission has the authority to declare a use as permitted upon finding after a public hearing that:

- (1) The unspecified use reflects the nature of the uses permitted in the affected zoning district; and
- (2) That there is no appreciable difference in the quality, character, or degree of the unspecified use as compared with such other permitted uses; and

WHEREAS, the Planning Commission made a final recommendation for approval dated October 26, 1998, subsequent to holding a public hearing on October 26, 1998 which was advertised in the local newspaper on October 7, 1998 and October 14, 1998, as required by Article 66B, Section 3.05(d) of the Annotated Code of Maryland; and

WHEREAS, pursuant to Section 10.8.4(a), the Board of County Commissioners on November 10, 1998, adopted a motion directing the amendment of the zoning ordinance.

SECTION 1. NOW THEREFORE, BE IT ORDAINED, that the Zoning Ordinance shall be amended to add the use of "Photographic Studio or Lab" within Table 2.3 (Manufacturing) of the St. Mary's County Zoning Ordinance as a permissible use within the Industrial (I) Zone; as shown in Attachment A, hereto.

SECTION 2. SEVERABILITY: In the event any portion of this ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5402 Rcft#999999  
EMA NB BK#79  
Dec 01, 1998 04:19 PM



Ordinance No. Z98-07

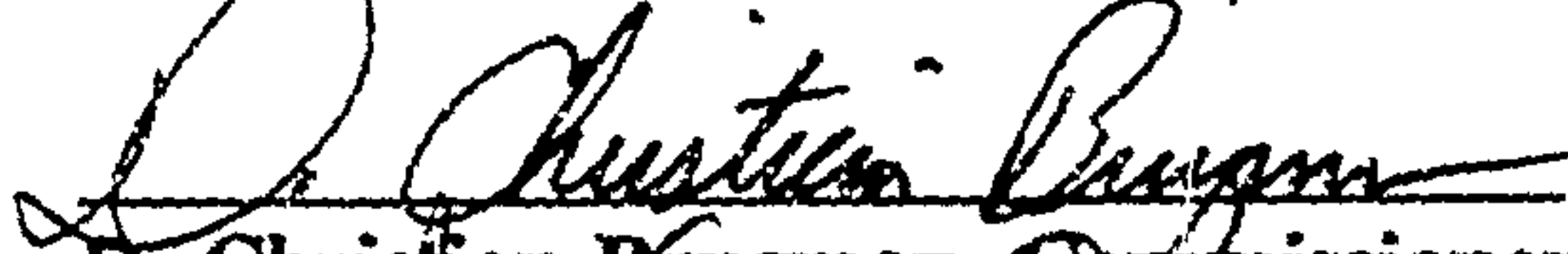
SUBJECT: Zoning Ordinance Amendment  
Photographic Studio or Lab  
Page 2 of 2


SECTION 3. AND BE IT FURTHER ENACTED that this Ordinance shall take effect 11-24-98.

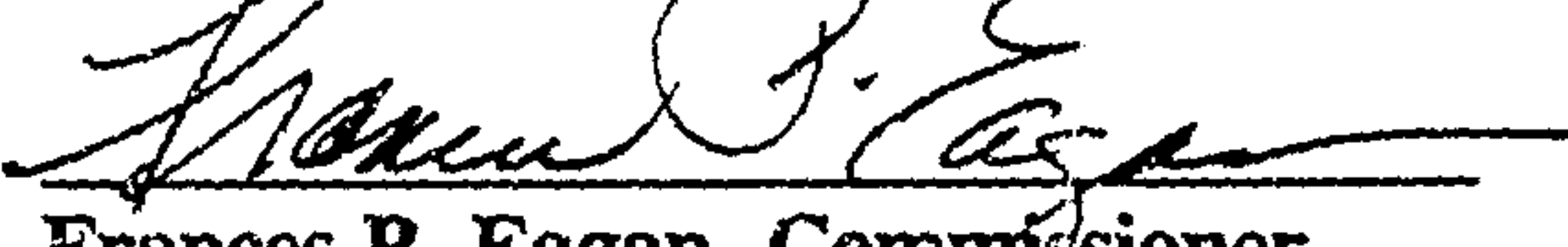
DATE OF ADOPTION: 11-24-98


BOARD OF COUNTY COMMISSIONERS  
FOR ST. MARY'S COUNTY, MARYLAND

  
Barbara R. Thompson, President

  
D. Christian Brugman, Commissioner

  
Paul W. Chesser, Commissioner

  
Frances P. Eagan, Commissioner

  
Lawrence D. Jarboe, Commissioner

ATTEST:

  
John J. Kachmar, County Administrator



	A	RPD	RNC <sup>4</sup>	RVC	RTC	RL	RH	CL	CVC	C	CM	I
Blacksmith, Welding and Machine Shops	P <sup>1</sup>	P <sup>1</sup>	-	-	-	-	-	-	-	-	-	P5
Boat Building, Boat Storage. (Not including Boatels), Repair Yards with Marine Railways	-	-	-	-	-	-	-	-	-	-	P5	P5 <sup>2</sup>
Bottling and Distribution of Beverages	-	-	-	-	-	-	-	-	CUS	P5	-	P5
Carpentry and Woodworking	-	-	-	-	-	-	-	-	P5	P5	-	P5
Manufacture and Remanufacture of Automotive or Boat Parts, Sails, Accessories, and Equipment Not Involving Drop Forging, Stamping, Automatic Screw Machines, or a Foundry	-	-	-	-	-	-	-	-	-	-	-	P5
Manufacture of Concrete and Ceramic Products, Storage of Contractors Equipment and Materials	-	-	-	-	-	-	-	-	-	-	-	P5 <sup>3</sup>
Manufacture, processing, fabrication, assembly, distribution of products such as scientific and precision instruments, photographic equipment, communications, computation equipment, drugs, medicines, pharmaceutical, household appliance, toys, sporting and athletic goods, diecut paperboard and cardboard, glass products made of purchased glass, electric lighting and wiring equipment, service industry machines, lithographic and printing processes, industrial controls, radio and TV receiving sets, watches and clocks, bags and containers, sanitary paper products, optical goods, electrical machinery, mobile homes, prefabricated and modular housing and components, dairy product feed and grain, baked and confectioners goods, farm machinery, fruit and vegetable processing, canning and storage, food processing, packing and storing (including frozen foods)	-	-	-	-	-	-	-	-	-	-	-	P5
Photographic Studio or Lab	-	-	-	-	-	-	-	-	-	-	-	P5
Paint and Body Shop	-	-	-	-	-	-	-	-	-	P5	-	P5
Printing, Publishing and Engraving	-	-	-	-	-	-	-	-	-	P5	-	P5
Sawmill	CUS	CUS	-	-	-	-	-	-	-	-	-	P5 <sup>3</sup>
Sheet Metal Shops	-	-	-	-	-	-	-	P5	P5	P5	-	P5
Sign Painting Shops	-	-	-	-	-	-	-	-	-	P5	-	P5
Slaughterhouses	-	P5	-	-	-	-	-	-	-	P5	-	P5
Research, Experimental, Testing and Development Activities	-	-	-	-	-	-	-	-	-	-	-	P5

<sup>1</sup> On Farms 10 Acres or Larger Provided Such Facilities are Located 200 Feet From Property Lines  
<sup>2</sup> Provided that Out-Of-Water Work or Storage Shall be Located at Least 200 Feet From any Residential District  
<sup>3</sup> Provided Such Use Shall Be Located at Least 400 Feet from any Residential District Boundary  
<sup>4</sup> Conversion of a residential structure to a nonresidential use, or the construction of a new structure for a nonresidential purpose may be permitted by the Board of Zoning Appeals upon finding that 1) similar nonresidential uses are present in the affected neighborhood and 2) the proposed nonresidential activity will not adversely impact nor alter the character of the neighborhood.  
<sup>5</sup> Any nonconforming use legally established prior to the effective date of this ORDINANCE shall not be deemed a nonconforming use, but, without further action, shall be considered a conforming conditional use. The expansion of intensification of any such use shall be subject to approval by the Board of Appeals following a public hearing and subject to the standards under: 66.03.11.b.

P = Permitted Use  
 P5 = Permitted, Subject to Meeting Article 5 Standards  
 CUS = Conditional Use Requiring Board of Appeals Approval  
 - = Not Permitted<sup>4</sup>



No. : 98-49  
SUBJECT: Procurement Manual  
Amendment No. 6

RESOLUTION

WHEREAS, The Board of County Commissioners of St. Mary's County on September 15, 1997 adopted Resolution No. 87-16 which set forth the adoption of a Procurement Manual for St. Mary's County; and

WHEREAS, The Board of County Commissioners has determined that Section 1-2.3 OFFICIALS NOT TO BENEFIT needs amendment to include appointed officials of St. Mary's County.

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS, that Section 1-2.3 be changed to read "No County Commissioner or other elected or appointed official or employees of St. Mary's County shall be admitted to any share or part of this contract or any benefit arising from it."

ADOPTION DATE: December 1, 1998

EFFECTIVE DATE: December 1, 1998

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

*Barbara R. Thompson*  
Barbara R. Thompson, President

*D. Christian Brugman*  
D. Christian Brugman, Commissioner

- ABSENT -  
Paul W. Chesser, Commissioner

*Frances P. Eagan*  
Frances P. Eagan, Commissioner

*Lawrence D. Jarboe*  
Lawrence D. Jarboe, Commissioner

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3483 Rcr#4999999  
EHA LP B11/1222  
Dec 03, 1998 09:52

ATTEST:

*John J. Kachmar, Jr.*

John J. Kachmar, Jr.  
County Administrator

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY

*Douglas S. Durkin*

Douglas S. Durkin  
County Attorney

11-30-98



No. : 98-50  
SUBJECT: Partial Birth Abortion

RESOLUTION

WHEREAS, The intentional destruction of a nearly born child is morally unacceptable; and

WHEREAS, St. Mary's County is the Birthplace of Religious Tolerance and Mother County to the State of Maryland;

NOW, THEREFORE, BE IT RESOLVED that the St. Mary's Board of County Commissioners do hereby encourage our State and Federal elected officials to enact legislation to ban the Partial Birth Abortion Procedure.

ADOPTION DATE: December 1, 1998  
EFFECTIVE DATE: December 1, 1998


BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND


  
Barbara R. Thompson, President


  
D. Christian Brugman, Commissioner

- ABSENT -  
Paul W. Chesser, Commissioner

  
Frances P. Eagan, Commissioner

  
Lawrence D. Jarboe, Commissioner

ATTEST:  
  
John J. Kachmar Jr.  
County Administrator

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY  
  
Douglas S. Durkin 12-2-98  
County Attorney

RECORDING FEE 0.00  
TOTAL 0.00  
Rest#000 Acct#999999  
EHA MAR BIL#570  
Dec 08, 1998 08:43 AM



Subject: Removal of Local Plumbing and Gas  
Fitter's Licensing Requirement for  
Plumbers with a Maryland State License

### ORDINANCE

FOR THE PURPOSE OF AMENDING THE ST. MARY'S COUNTY PLUMBING CODE AND THE ST. MARY'S COUNTY NATURAL GAS CODE TO DELETE THE REQUIREMENT FOR A STATE LICENSED MASTER PLUMBER TO OBTAIN A LOCAL PLUMBING AND/OR GAS FITTER'S LICENSE WHEN SEEKING TO PERFORM PLUMBING OR GAS FITTER'S SERVICES IN ST. MARY'S COUNTY.

RECORDING FEE 8.00  
TOTAL 8.00  
Res: SM03 Rec: 1998000  
EWA MAR 21/1913  
Dec 18, 1998 03:31

### RECITALS

#### Statutory Authority

**WHEREAS**, Section 12-206 of the Business Occupations & Professions Article of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners to either enforce the State Plumbing Code or adopt and enforce a local plumbing code that meets or exceeds the minimum standards of the State Plumbing Code for the proper design, acceptable installation, and adequate maintenance of plumbing systems;

**WHEREAS**, Article 25, Section 3(t-1) of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners for St. Mary's County to provide for inspection and enforcement of the plumbing and gas code and for reasonable charges for permits and inspections;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland has the authority, via the Laws of Maryland 1973, Chapter 628, and codified as the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County), Chapter 92 to adopt, amend and repeal rules and regulations pertaining to a County Plumbing Code and to appoint a Plumbing Board;

#### Existing Ordinances

**WHEREAS**, the Board of County Commissioners of St. Mary's County, Maryland previously adopted a Natural Gas Code codified in the Code of St. Mary's County, Sections 242-1 through 242-10;

**WHEREAS**, the Board of County Commissioners for St. Mary's County, Maryland has previously adopted a Plumbing Code, codified in the Code of St. Mary's County, Sections 249-1 through 249-14;

#### Legislative Intent

**WHEREAS**, on November 3, 1998, the Board of County Commissioners passed a motion to "delete the requirement for a Master Plumber to have a gas fitters license in St. Mary's County and to retain the existing gas fitters license until June 1, 1999 or until the Attorney General rules it illegal" as quoted from the Board's minutes of its meeting on same date;

**WHEREAS**, on November 23, 1998, the Maryland Attorney General issued an opinion that the Board of County Commissioners does not have the authority to enact an ordinance requiring local licenses for plumbers, propane gas fitters, and natural fitters;

#### Notice and Hearing

**WHEREAS**, in accordance with the Annotated Code of Maryland, Article 25, Section 3(r), a public hearing was held on November 24, 1998 pursuant to notice published on or about November 11, 1998 and November 18, 1998 in The Enterprise, a newspaper of general circulation.



SECTION 1. NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND, that any plumber possessing a Maryland State Master Plumbing License is not required to obtain a St. Mary's County Plumbing License or a St. Mary's County Gas Fitter's License to perform plumbing or gas fitting services in St. Mary's County, Maryland.

SECTION 2. SEVERABILITY: In the event any portion of this ordinance is found to be unconstitutional, illegal, null or void, by a court of competent jurisdiction, it is the intent of the Board of County Commissioners to sever only the invalid portion or provision, and that the remainder of the ordinance shall be enforceable and valid, unless deletion of the invalid portion would defeat the clear purpose of the ordinance, or unless deletion of the invalid portion would produce a result inconsistent with the purpose and intent of the Board of County Commissioners in enacting this ordinance.

SECTION 3. AND BE IT FURTHER ENACTED, That this ordinance shall take effect on immediately.


Those voting aye: Chesser, Jarboe, Brugman

Those voting nay: Frances P. Eagan

Those absent or abstaining: Barbara R. Thompson - abstain


DATE OF ADOPTION: 12-4-98

EFFECTIVE DATE: 12-4-98

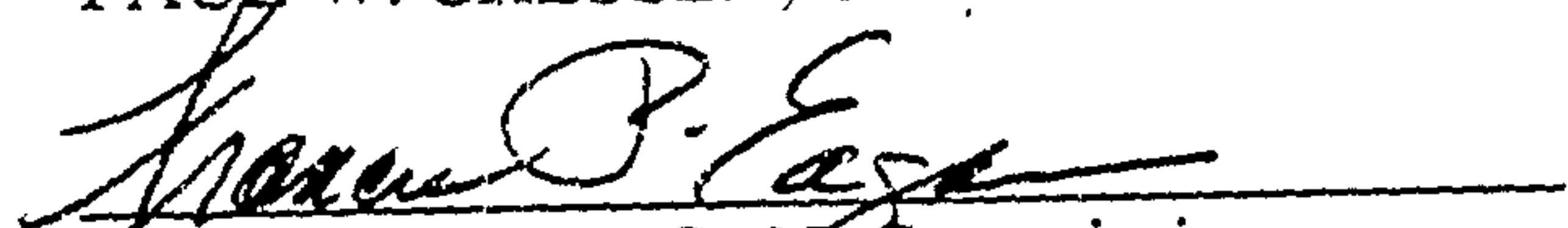
ATTEST:  
  
John J. Kachmar, Jr.  
County Administrator

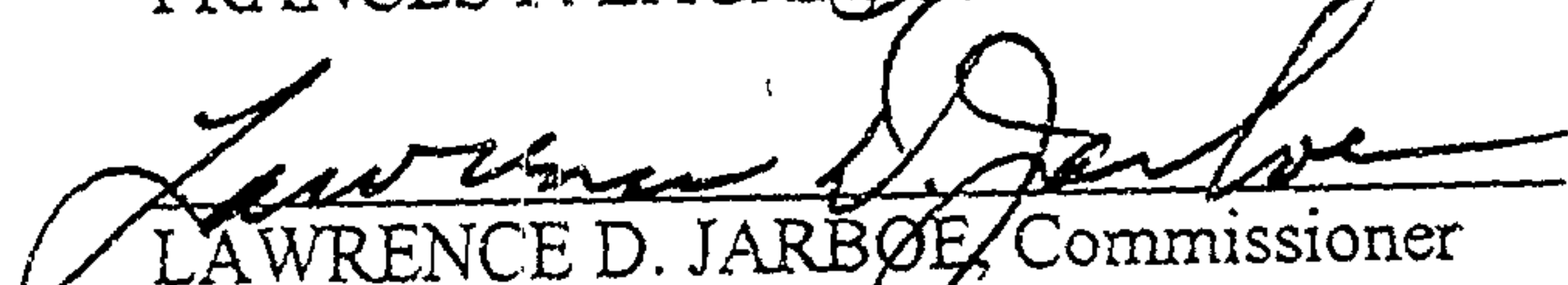
BOARD OF COUNTY COMMISSIONERS FOR  
ST. MARY'S COUNTY, MARYLAND

  
BARBARA R. THOMPSON, President

  
D. CHRISTIAN BRUGMAN, Commissioner

  
PAUL W. CHESSER, Commissioner

  
FRANCES P. EAGAN, Commissioner

  
LAWRENCE D. JARBOE, Commissioner



NO: 99-01

SUBJ: **FY 1999 SUPPLEMENTAL  
APPROPRIATIONS  
Office on Aging**

BOOK **0014** PAGE **0050**

**ORDINANCE**

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating Budget to increase the appropriation for the Office on Aging for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$3,000.00 are available from the Maryland Department of Aging to provide for a Senior Health Insurance Counseling Program.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on January 5, 1999 pursuant to Notice published on or about December 23, 1998 and December 30, 1998 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on January 5, 1999 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$3,000.00 (Three Thousand Dollars), and such increase is hereby approved this 19th day of JANUARY, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 1/19/99

Effective Date: 1/19/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
Acting County Administrator

Steven E. Welkos  
Steven E. Welkos  
Director of Finance

RECORDING FEE 8.00  
TOTAL 8.00  
Restored Rct#999999  
EWA TLC 31K#1753  
Jan 21, 1999 04:07 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

D. S. Durkin 1/5/98  
Douglas S. Durkin  
County Attorney



BOOK 0014 PAGE 0051

NO. : 99- 01  
SUBJECT : Emergency Operation Plan  
"Project Impact"

RESOLUTION

WHEREAS, Southern Maryland, including St. Mary's County, is subject to several hazards including flooding from prolonged and intense rainfall, hurricane surges, Nor'easter inundation and dam break events; and

WHEREAS, the St. Mary's County Commissioners have adopted and accepted a County Emergency Plan, and have as an accepted annex of said emergency operations plan, a mitigation/prevention plan; and

WHEREAS, the Federal Emergency Management Agency (FEMA) has created "Project Impact" as a method to assist communities to become "Disaster Resistant" through various types of programs; and

WHEREAS, the Maryland Emergency Management Administration (MEMA) nominated the regional to be designated as a "Project Impact" area; and

WHEREAS, the FEMA Director, James L. Witt on December 10, 1998 has invited St. Mary's County, Maryland, as one of the three Southern Maryland counties to be a participant in this program; and

WHEREAS, the Tri-County Council for Southern Maryland has been identified by FEMA and MEMA to be the coordinating agency for administration of the Project Impact program for the region;

NOW, THEREFORE, on this 12th day of January, 1999, the County Commissioners of St. Mary's County hereby resolve that:

This Resolution shall serve as notice of participation to the Federal Emergency Management Agency and said discussion thereof; and

St. Mary's County agencies are directed to assist the St. Mary's County Department of Emergency Services with providing data and other information or assistance as requested, encouraging community-wide initiative, and development public/private partnerships which will enhance and assist the effectiveness of Project Impact; and

Adoption Date: 1/12/99

Effective Date: 1/12/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

RECORDING FEE 0.00  
TOTAL 0.00  
REC-16783 RCP-4999999  
SMA TLD BIK-1783  
Jan 21, 1999 04:00 PM



**Purpose**

For the purpose of the Board of County Commissioners of St. Mary's County, Maryland to select and approve an appointment to fill a vacancy on the Board of Education for St. Mary's County

RECORDING FEE 8.00  
TOTAL 8.00  
RES-1583 Rcr-1999999  
EWA TLC BLK-2543  
Jan 29, 1999 02:42 PM

**RESOLUTION**

WHEREAS, the Annotated Code of Maryland, Education Article, § 3-1101(g)(3) provides, "If a vacancy occurs on the County Board [Board of Education], the St. Mary's Board of County Commissioners shall appoint a qualified individual to serve for the remainder of that term and until a successor is elected and qualifies";

WHEREAS, a vacancy on the Board of Education for St. Mary's County has occurred because of the election of Julie B. Randall to serve as President of the Board of County Commissioners for St. Mary's County;

WHEREAS, the position on the Board of Education for St. Mary's County previously occupied by Julie B. Randall was the at-large position representing the entirety of St. Mary's County;

WHEREAS, the Annotated Code of Maryland, Education Article, § 3-1101(d) sets forth the qualifications for a person to serve as a member of the County Board of Education and which further provides that such person(s) shall be a, "resident and registered voter of St. Mary's County";

WHEREAS, the candidate named below for the vacant position on the Board of Education has provided the Board of County Commissioners with a certified copy of that candidate's voter registration with the Board of Supervisors of Elections for St. Mary's County and proof of residency via a notarized sworn statement of residency in St. Mary's County;

WHEREAS, the Annotated Code of Maryland, Education Article, § 3-1101(d) (1998) as amended to be effective on January 1, 1999, also requires that candidates to fill positions on the Board of Education designated for representation of particular Commissioner districts must also be a resident of that election district, but which also provides for one member of the Board of Education to represent the County at-large, for which position the candidate need only be a resident of St. Mary's County;

WHEREAS, the Board of County Commissioners finds, based upon the voter registration documentation and residency statement referenced hereinabove, that the appointee qualifies as a resident of St. Mary's County, Maryland and otherwise qualifies for the at-large Board of Education position;

WHEREAS, the Board of County Commissioners has solicited candidate applications and reviewed the same;

WHEREAS, the Board of County Commissioners has also conducted interviews of each of the candidates, and has further entertained oral presentations in an open meeting of the Board of County Commissioners by each of the four finalists; and

WHEREAS, the Board of County Commissioners finds the candidate identified below is the most qualified person to serve on the Board of Education for St. Mary's County.

NOW THEREFORE, BE IT HEREBY RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that Stephen Kracinovich, is hereby appointed to serve as the at-large member of the Board of Education for St. Mary's County, Maryland to complete the term and fill the vacancy of that position created by the departure of Julie



B. Randall and to fulfill Ms. Randall's term which expires on the first Monday of December, 2000, or until such time as a successor is elected and qualifies.

Those voting Aye: Commissioners Randall, Anderson, Guazzo, Mattingly & Raley

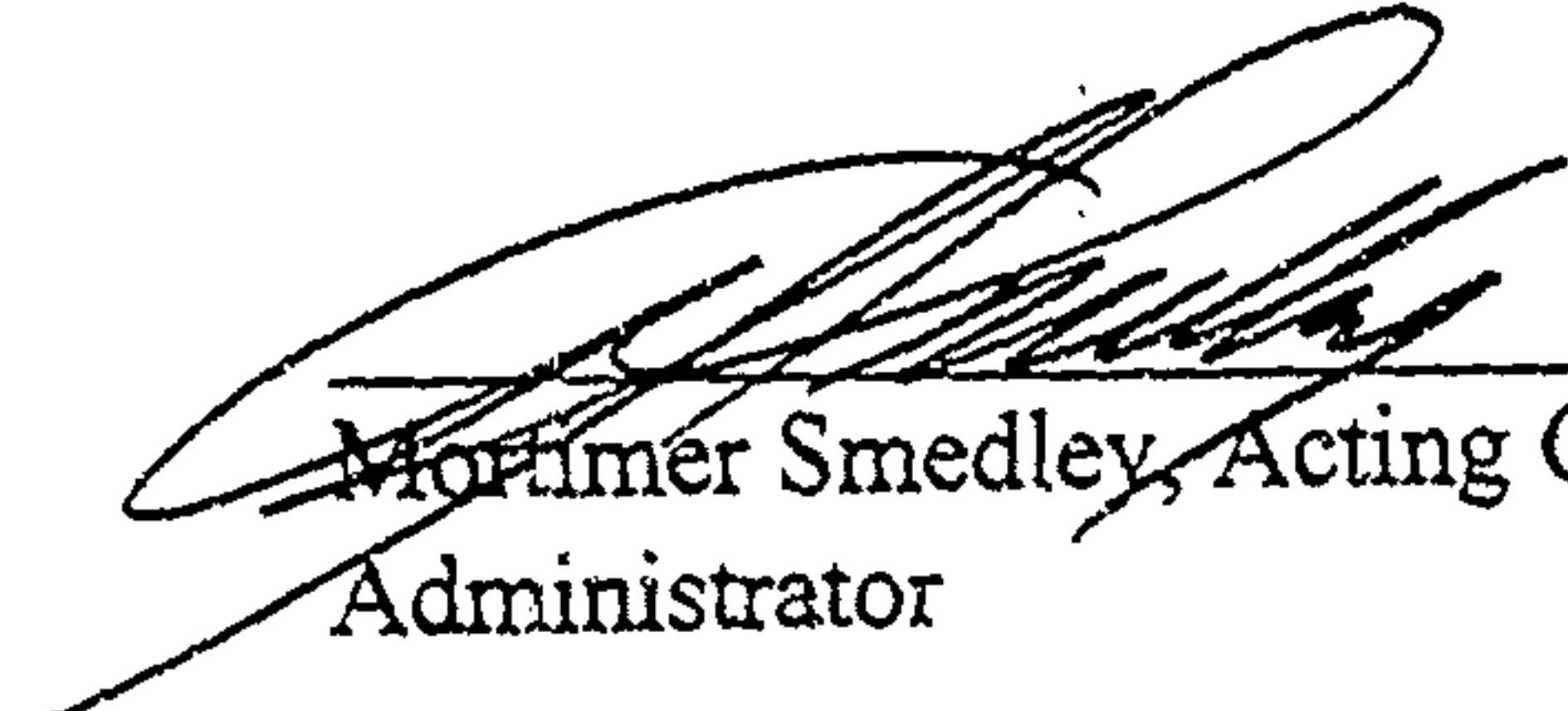
Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

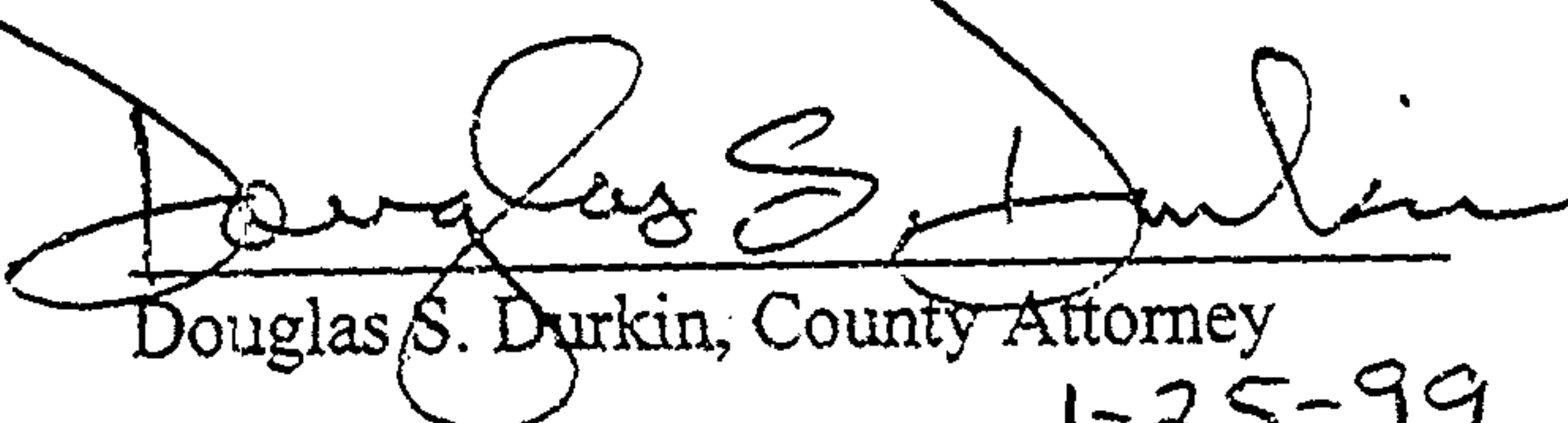
Effective Date: January 26 1999

Adopted Date: January 26, 1999

ATTEST:


  
Mofimer Smedley, Acting County  
Administrator

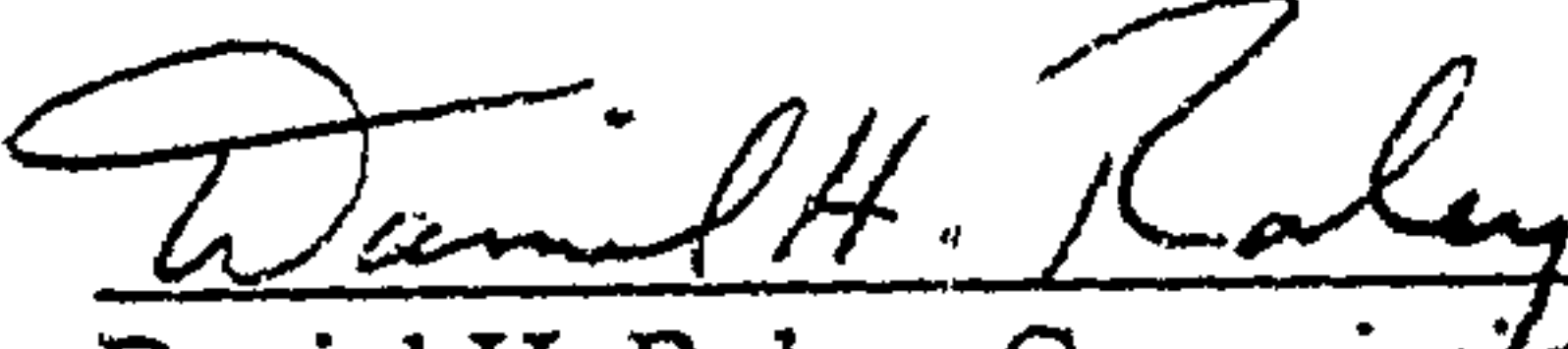
APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:


  
Douglas S. Durkin, County Attorney  
1-25-99


BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Daniel H. Raley, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner



Proof of Residency and Certificate of Qualification

I hereby declare that:

I am a registered voter of:

St. Mary's County  
3<sup>d</sup> Election District  
7/13/61 Date of Birth

and that I reside at:

4318 9 Oak Way Ct. No. and Street  
Leonardtown City  
MD 20633 State and Zip Code  
(301) 475-3782 Home Telephone  
(301) 342-0278 Work Telephone

I hereby declare that I meet the qualifications for the office of the Board of Education as set forth in Annotated Code of Maryland, Education Article, § 3-1101.

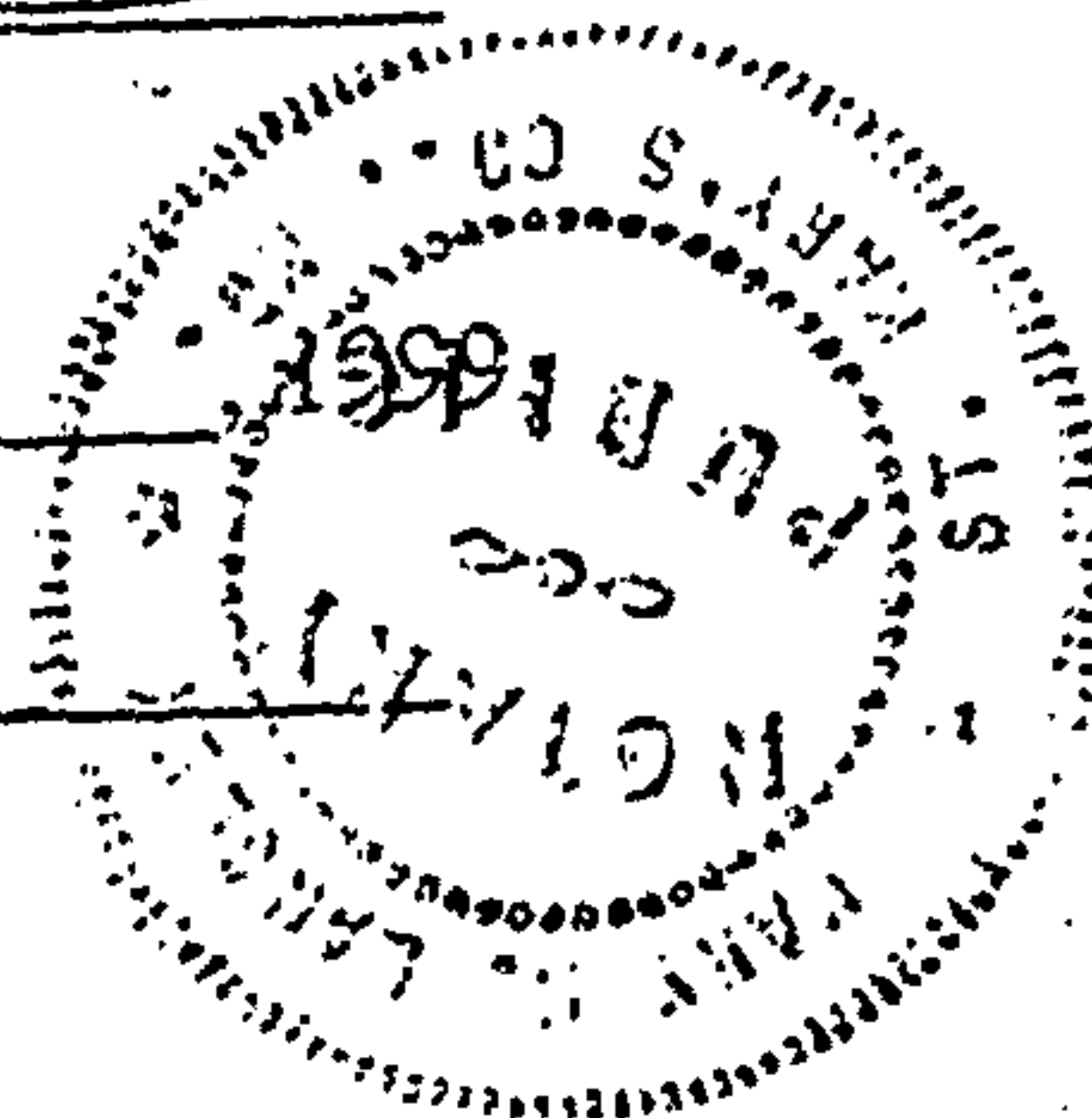
I hereby certify under penalties of perjury that the information provided above is true.

1-26-99  
Date

*[Signature]*  
Signature of Candidate

Subscribed and sworn before me this 26<sup>th</sup> day of January

Mary M. Langley  
(Notary Public) Affix Seal





Subject: Cable Advisory Committee

PURPOSE

For the purpose of revising the Public Access Handbook and attaching revised By-laws

RESOLUTION

WHEREAS, the Board of County Commissioners has been requested by the Cable Advisory Committee to review a revised version of the Public Access Handbook, which handbook has been prepared in a joint effort with Bay Media Network Channel 10/Western Shore Cable TV, for consideration and approval by the Board of County Commissioners;

WHEREAS, on August 25, 1998, the Board of County Commissioners approved the revised By-laws as previously submitted by the Cable Advisory Committee;

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that there is hereby acceptance of the revised Public Access Handbook, which is attached hereto as Exhibit "A";

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that the By-laws of the Cable Advisory Committee are attached hereto as Exhibit "B";

Those voting Aye: RANDOLPH Anderson, Guazzo, Mattingly, Raley

Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

DATE ADOPTED: 1/26/99

EFFECTIVE DATE: 1/26/99

RECORDING FEE 8.00  
TOTAL 8.00  
Res#S403 Rcp#4999999  
EWA TLC BIK#2543  
Jan 29, 1999 02:43 PM

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer Smedley  
Mortimer Smedley,  
Acting County Administrator

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

Kimberly M. Shearin  
Kimberly M. Shearin,  
Assistant County Attorney





St. Mary's County Government  
Office of the County Attorney

---

January 21, 1999

MEMORANDUM

TO: BOARD OF COUNTY COMMISSIONERS  
JUDY PEDERSEN, Public Information Officer  
MORT SMEDLEY, Acting County Administrator

FROM: KIMBERLY M. SHEARIN, Assistant County Attorney *KS*

RE: Revised Public Access Handbook

Enclosed is the public access handbook which, before it was revised, was approved by the previous Board of County Commissioners. Following the previous BOCC approval, it was discovered that a sentence in the handbook, regarding obscene programming, should be removed because of a U.S. Supreme Court decision prohibiting cable operators from exercising editorial control over content of cable programming. That sentence has been removed.

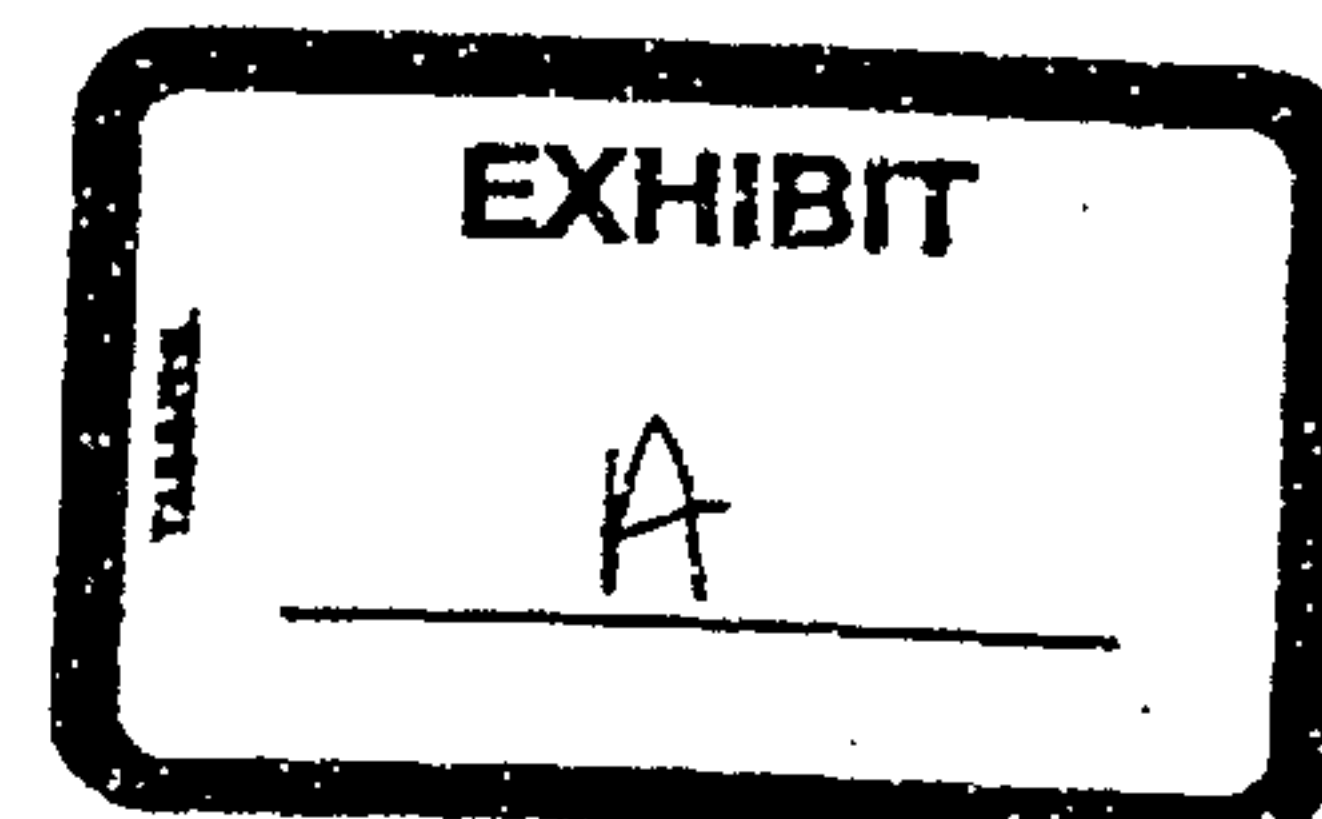
Therefore, the revised handbook is now slightly different in content from the original version that had been approved by the previous Board of County Commissioners. This memorandum serves to inform you of the change and to request that you sign a new resolution or ordinance approving the revised handbook.

Also, the Cable Advisory Committee, through its public access subcommittee, is devising procedures for permissible controls over the airing of programming on Channel 10. Once these procedures are complete, they will come before the Board of County Commissioners for approval, since under § 28 of the County's Cable Television System Franchise Act (Ordinance 90-17), the Cable Advisory Committee is an advisory body which makes recommendations to the Board. If you have any questions, please feel free to contact me.

Attachments

U:\DATA\LA\W\DAT\KMS\BOCC\ACCESS3.MEM





Prepared by:  
BAY MEDIA NETWORK CHANNEL 10/WESTERN SHORE CABLE TV

This manual represents the basic guidelines at Bay Media Network Channel 10/Western Shore Cable TV. It is subject to change from time to time as needs of the community change.

#### GETTING YOUR PROGRAM ON CHANNEL 10 BASIC GUIDELINES

1. Read this Handbook

It tells you about the training programs available, how to sign out equipment, operating rules and how to get public access time.

2. The PUBLIC ACCESS COORDINATOR (PAC) reserves the right to waive certain rules at his/her discretion.

3. If you are submitting a prerecorded tape for cablecast:

- a. There must be agreement on a cablecast time, and you must fill out a cable time request form.

#### TRAINING WORKSHOPS

Training workshops are provided by Bay Media Network/Western Shore Cable TV at no cost to the community.

We welcome your participation in our workshops, and hope that you will find them informative and rewarding.

All the introductory workshops are designed to teach basic TV production techniques.

#### USE OF FACILITIES AND EQUIPMENT

1. Eligibility to use access equipment and facilities.

- a. Equipment is available to community members or groups on a first come, first served, nondiscriminatory basis provided that they:
  1. Have successfully completed the appropriate training workshop, or can demonstrate competency on the equipment to the satisfaction of the PAC.



2. Complete all the necessary forms.
  3. Obey all of the rules set forth in this handbook.
- b. Any member of the community who meets the above requirements is permitted to use the equipment. Community members include residents of the areas served by Bay Media Network/Western Shores Cable TV and employees of the organizations and agencies, which serve the community.

2. Use of the Equipment

a. General Rules

1. Equipment will be issued on a first come, first serve, nondiscriminatory basis.
2. Equipment may be used one weekend per month per (volunteer), county resident or group. Additional equipment use may be permissible subject to availability.
3. Cancellation of equipment request should be at least 24 hours in advance except in emergencies. Repeat cancellations of equipment request may result in loss of privileges.
4. *Volunteers will only identify themselves as community access producers and not as employees of Bay Media Network or Western Shore Cable TV.*
5. Volunteers will report any defects of equipment failures or breakage directly to the PAC.
6. Volunteers found to be misusing or abusing the facilities OR EQUIPMENT will be asked to retrain or will lose their privileges.

b. Use of Portable Equipment

1. Reservations for the portable equipment may be made up to a month in advance, and should be made at least a week in advance. Reservations can be made in person or by phone with the PAC.
2. Equipment may be borrowed for a maximum of 24 hours during the week, and for a maximum of 72 hours on the weekend. Extended loans may be granted at the discretion of the PAC.
3. Standard check-in and check-out time is Monday through Friday between the hours of 8:30am and 5:00pm. On weekends the equipment must be picked up by 5:00pm and returned before noon the following Monday. (Failure to return the equipment on time could result in a loss of future equipment usage).



4. Upon check-out, volunteers must fill out all applicable forms and test the equipment.
5. Upon check-in all defects and problems must be reported.

PROGRAM CONTENT

1. Policy Statement

Public Access is provided by Bay Media Network Channel 10/Western Shore Cable TV as a medium for community expression provided by the local cable franchise holders in accordance with Federal, State, and Local laws pertaining to cable franchise holders. We hope that the community will perceive this as a means to produce a wide variety of programs about their experiences, concerns and interests. All programming content will be that which is produced in and by residents of St. Mary's County. Case by case exceptions must have prior approval by the PAC.

Bay Media Network/Western Shore Cable TV has designed their policies to encourage quality and creative programming. Although Bay Media Network/Western Shore Cable TV support the right to free speech, certain legal rules and community considerations have been incorporated into the studio rules concerning program content. Therefore, according to Federal, State and Local laws, the following materials may not be shown on Channel 10:

- a. The direct solicitation of funds.
- b. The direct or indirect presentation of lotteries or lottery information.
- c. Material which constitutes libel, slander, invasion of privacy or publicity rights, unfair competition, violation of trademark or copyright, or which might violate any local, state or federal law.
- d. Programming that creates the immediate danger of damage to property or injury to persons, the substantial obstruction of law enforcement, the threat of any physical or legal action against any individual, group, or organization, or the creation of a public nuisance.

2. FCC Regulation/Political Cablecasting

- a. FCC Regulations – Public Access volunteers will comply where applicable, with the rules and regulations relating to equal time requirements for candidates for political office, the fairness doctrine, the personal attack doctrine, and the requirements concerning political editorials. If any one of these apply to programming on a Bay Network channel/Western Shore Cable TV, the volunteer shall take all steps necessary to comply. The access staff shall have final decision as to whether or not the said program complies with FCC regulations.



- b. Political Cablecasting - No advertising on Public Access time will be accepted on behalf of any candidates for political office or from political parties. This includes advertising, promoting, or opposing ballot issues supported by lobbying organizations. From the time a person files his/her candidacy through the general election, election related announcements will not be aired on an access channel. Programs featuring or discussing political candidates may be aired, provided the opposing parties receive a timely invitation for a joint appearance, or receive the opportunity for equal time. No live political cablecasting will be done without approval from the PAC. The PAC will review all tapes regarding political programming to assure compliance with applicable rules and regulations.
- c. Indemnification - Any volunteer using the community access channel, equipment, or facilities shall indemnify and hold harmless, Bay Media Network/Western Shore Cable TV, against any and all liability arising out of a breach of the statement of compliance. This indemnification shall not be an admittance of liability nor shall it be for the benefit of third parties.
- d. Violation of program content rules - Violations of these rules may subject the volunteer or organization represented by that volunteer to immediate forfeiture of the privilege of using the community channel and equipment.

#### PROGRAM OWNERSHIP AND RIGHTS

##### 1. Restrictions

- a. Personal profit or commercial use - Community producers may not use programs or out takes from programs for profit or gain without the express written permission of Bay Media Network/Western Shore Cable TV. Community users found to be violating these rules will be subject to loss of privilege.
- b. Other duplications - Only the community producer has ownership and duplication rights for each program. Other individuals or organizations should make duplication arrangements with the producer.

#### CHANNEL TIME, SCHEDULING PRIORITY, AND CABLECASTING PROCEDURE

- 1. Bay Media Network/Western Shore Cable TV will attempt to honor all reasonable requests for date and time for cablecasting a program. Effective July 1, 1998, the following public access slots will be available:

11:00am - 2:00 pm, Monday through Friday

9:00pm - 12:00am, Monday through Friday

- a. General procedure - All requests for channel time will be processed on a (fair and equitable) FIRST COME FIRST SERVED basis. A channel time request form should be filled out with alternative dates and times included. If scheduling and staff time permits, a program may be repeated up to three (3) times in any given week.



- b. Series scheduling -- Regularly scheduled series slots will be allocated at the discretion of the PAC provided that ample times remain for other community producers. The access staff may use their discretion to assign the slot to other producers if the original producer does not express an interest within two (2) weeks of cablecast.

(SCHEDULING PRIORITIES)

- 2. Availability of the channel - Public access channel time is provided on a first come, first served, nondiscriminatory basis to any approved applicant. It should be understood, however, that since this is a shared community resource, channel time and equipment cannot always be guaranteed.
- 3. Scheduling priorities
  - a. Regular user -- An individual or group which has used the facilities on a monthly basis for at least six (6) months.
  - b. Occasional user -- Those who have used the facilities at least once in a twelve (12) month period, but do not qualify as regular users.
  - c. First time users -- Those who have not used the facilities in the preceding twelve (12) months.
- 4. Equipment, Facilities, or Channel Scheduling Conflicts
  - a. Regular users shall have priority over occasional and first time users.
  - b. When 50% of the AVAILABLE ACCESS time is exceeded by regular users, conflicts will be decided on the following basis:
    - 1. First time users
    - 2. Occasional users
    - 3. Regular users
  - c. Occasional users who have not been scheduled for prime time or facility use on two (2) previous request shall be given scheduling priority on their next request, at the discretion of the PAC.
  - d. Scheduled time assigned to one producer is not transferable without permission of the PAC.
  - e. Failure to comply with these rules may result in loss of privileges.
- 5. Cablecasting Requirements



a. Labeling – Before cablecast, all videotapes must be clearly labeled with the following information:

1. Title of program and the producer's name
2. Length of program and cablecast date

(End of tape – if applicable, the end of tape must have a standard form in the following order).

3. Appropriate credits should be supplied at either the beginning or end of each program. In addition, 60 seconds of black time should follow the end of each program.

6. Videotape Quality Standards

a. Tape evaluation procedures – all videotapes submitted for cablecast will be evaluated according to the following criteria:

1. Technical standards – The PAC will screen the submitted tape to see if it meets the minimum quality standards for cablecast.
2. Videotapes must be of such quality that the standard time based corrector (TBC) used by the channel will accept the signal.
3. All tapes for airing will be on ½" (VHS) or ¾" (U-MATIC) video cassettes.
4. Audio quality of all videotapes will be constant and of sufficient quality to permit adequate retransmission on Channel 10/Western Shore Cable TV-transmission equipment.

b. Contents of video programming – All videotapes are evaluated for program content. The evaluation is based on FCC rules and regulations contained in para 2.a.b.c.d under program content

PRERECORDED MATERIAL.

1. Definition – Prerecorded material is programming not produced using the equipment or facilities of Bay Media Network or Western Shore Cable TV.

2. Use of Pre-Recorded Material

- a. A complete cable time request form shall be submitted at least one week in advance of requested cablecast date.
- b. The PAC to assure compliance with the rules and regulations adopted by Bay Media Network/Western Shore Cable TV shall review all material.



- c. The videotape must meet cablecast standards.
- d. All producers are responsible for delivering and retrieving their own tapes. After thirty (30) days, Bay Media Network/Western Shore Cable TV assumes no responsibility for tapes left on the premises.
- e. The applicant must sign a waiver indemnifying Bay Media Network/Western Shore Cable TV from liability and possible copyright infringement. In addition, copies of permission to use copyrighted material must accompany requests for cablecasting.

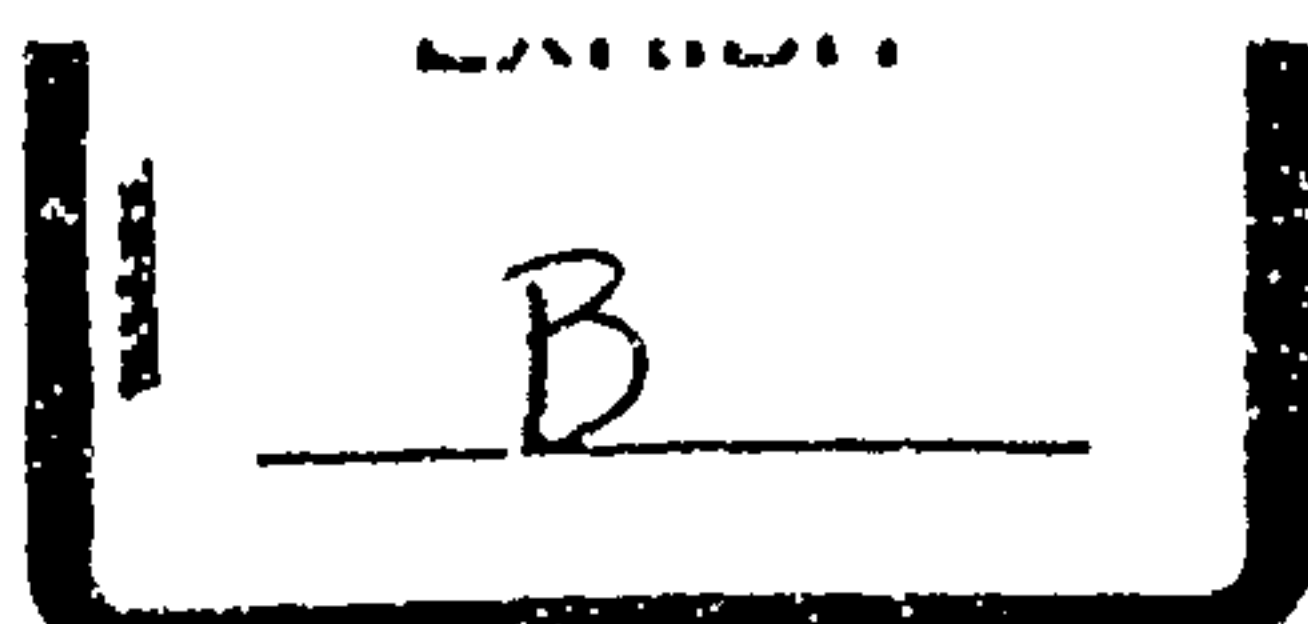
TELEPHONE NUMBER

Cable Advisory Committee  
Coordinator

Bay Media Network  
Coordinator

Western Shore Cable  
Coordinator





# Bylaws of the Cable Advisory Committee

## ARTICLE I.

### (Name)

The name of this committee shall be Cable Advisory Committee.

## ARTICLE II

### (Purpose)

The purpose of this committee shall function:

To advise the St. Mary's County Board of Commissioners on all matters related to cable systems, facilities and related matters;

To review complaint and system malfunction statistics and to make recommendations to the franchisee and St. Mary's County Board of Commissioners as they may find appropriate.

To make recommendations as to possible improvements in general categories of programming or service to subscribers, including matters dealing with control and operation of government, public and educational access channels, and the overall operation of the system;

To assist in the performance evaluation of a cable system; and

To perform other duties as directed by the St. Mary's County Board of Commissioners.

## ARTICLE III

### (Membership)

Section 1. Committee membership shall consist of seven (7) members.

Section 2. Any adult St. Mary's County resident shall be eligible for membership. A resident must propose his/her membership to the County Commissioners in prescribed manner. Commissioners shall make appointment.

Section 3. Each member of the Commission shall serve for no more than two (2) consecutive five (5) year terms. Members' terms are staggered.

Section 4. Members do not receive compensation.

Section 5. Any member desiring to resign from serving on the Committee shall submit his resignation in writing to the Committee and the Board of County Commissioners.

Section 6. Unexcused, i.e., non-excused absences in excess of three consecutive meetings shall be deemed cause for replacement of a member. Request for replacement shall be originated by majority vote of committee.



**ARTICLE IV.  
(Officers)**

Section 1. The officers of the Commission shall be Chairperson and Vice-Chairperson.

Section 2. The Chairperson and Vice-Chairperson will be elected by majority vote of members of committee.

Section 3. No member shall hold more than one office at a time.

Section 4. An officer shall serve for one (1) year, or, in unusual events, until his successor is elected. Term of office begins at election.

Section 5. An active member of the committee must chair any subcommittee.

**ARTICLE V.  
(Meetings)**

Section 1. The regular meetings of the Committee shall be held monthly in accordance with the Open Meeting Act.

Section 2. The regular meeting in April shall be known as the annual meeting and shall be for the purpose of holding elections and for receiving reports from officers and committee to prepare the Annual Report to the County Commissioners, and for any other business that may arise.

Section 3A. SPECIAL MEETINGS: The Chairperson may call special meetings of the Board at any time at his/her discretion or upon written request by three (3) Board members.

Section 3B. PUBLIC MEETINGS: Meetings are conducted in accordance with Article 24 Section 4 of Annotated Code of Maryland.

Section 4. Four (4) members of the Committee shall constitute the quorum needed to hold a meeting.

**ARTICLE VI  
(The Executive Board)**

1. The Chairperson acts as the Executive Board.

2. The Chairperson shall set agenda and preside at regular meetings. A committee member shall act as Secretary to: record minutes of meetings, maintain business files of the Committee, and perform other duties as directed by the Committee. The Vice-Chairperson of the Committee should preside as meetings in the absence of the Chairperson.



ARTICLE VII

(Subcommittees)

Subcommittees may be temporary or permanent as directed by the majority of the Committee.

ARTICLE VIII

(Parliamentary Authority)

The rules contained in the current edition of Robert's Rules of Order Newly Revised shall govern the Committee in all cases to which they are applicable and in which they are not inconsistent with these bylaws and any special rules of order the Committee may adopt.

ARTICLE IX

(Amendment of Bylaws)

Subject to the final approval by the Board of County Commissioners, these bylaws may be amended at any regular meeting of the Committee by majority vote, provided that amendment had been submitted in writing at a previous meeting.



ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating and Capital Budgets to increase the appropriation for the St. Mary's County Board of Education capital projects, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$1,033,000 are available from the County's undesignated general fund balance for the purpose of funding the following public school capital projects:

Town Creek Elementary School HVAC Systemic Renovation	\$ 310,000
Green Holly Elementary School Roof Systemic Renovation	623,000
Margaret Brent Middle School Addition/Renovation A & E	<u>100,000</u>
Total Appropriation	\$1,033,000

WHEREAS, funds are to be appropriated in the Capital Projects - General Fund Transfer account in the operating budget and transferred to the individual project accounts in the capital improvements budget. The appropriation for the Town Creek and Green Holly projects will allow the work to be performed over the summer of 1999. The Margaret Brent appropriation will fund the schematic design phase of the project.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on January 19, 1999 pursuant to Notice published on or about January 6, 1999 and January 13, 1999 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on January 19, 1999 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$1,033,000.00 (One Million Thirty-Three Thousand Dollars), and such increase is hereby approved this 2 day of FEB, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: Feb 2, 1999  
Effective Date: Feb 2, 1999

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President  
Joseph F. Anderson  
Joseph F. Anderson, Commissioner  
Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner  
Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner  
Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:  
Mortimer L. Smedley  
Mortimer L. Smedley  
Acting County Administrator  
Steven E. Welkos  
Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5803 Rec#4999999  
EWA TLC BIK#891  
Feb 09, 1999 09:54

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:  
Douglas-S. Durkin 1/5/98  
Douglas-S. Durkin  
County Attorney



BOOK 0014 PAGE 0068

NO: 99-03

SUBJ: FY 1999 SUPPLEMENTAL APPROPRIATION  
St. Mary's County Board of Education  
(Operating Budget)

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating Budget to increase the appropriation for the St. Mary's County Board of Education, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance has certified in writing that such funds in the amount of \$441,898.00 are available as the result of the reversion to the County government by the Board of Education of the fiscal year 1998 year-end public school system fund balance. The FY 1999 Board of Education operating budget is supplemented as follows:

<u>Budget Category</u>	<u>Appropriation</u>
Instructional Textbooks and Supplies	\$441,898.00

WHEREAS, the supplemental appropriation will provide for the purchase of science textbooks, as part of a K-12 science textbook adoption.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on January 19, 1999 pursuant to Notice published on or about January 6, 1999 and January 13, 1999 in the Enterprise.

WHEREAS, the Board of County Commissioners has not approved an additional funding request of the Board of Education to secure consultant assistance in evaluating, revising and implementing an appropriate enrollment projection model.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on January 19, 1999 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$441,898.00 (Four Hundred Forty-One Thousand Eight Hundred Ninety-Eight Dollars), and such increase is hereby approved this 2nd day of February, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: Feb 2 1999  
Effective Date: Feb 2 1999

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby F. Guazzo  
Shelby F. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
Acting County Administrator  
Steven E. Welkos  
Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res: 15483 Rct: 4399999  
EHA TLC RIX: 4391  
Feb 89, 1999 09:55 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Douglas S. Durkin  
Douglas S. Durkin  
County Attorney 2-2-99



Resolution of the Board of County Commissioners of St. Mary's County in support of the passage and adoption of Resolution to be passed by St. Mary's County Metropolitan Commission authorizing the issuance and sale of not exceeding \$2,100,000 St. Mary's County Metropolitan Commission Infrastructure Bonds, 1999 Series A, as bonds to be issued on the full faith and credit of the Board of County Commissioners of St. Mary's County; covenanting to impose ad valorem taxes in rate and amount sufficient to pay the principal of, premium, if any, and interest on the bonds when due and the principal at maturity of said bonds if such principal, premium, if any, and interest is not paid from other moneys legally available for such purposes, all as more particularly provided in the aforesaid resolution to be passed by St. Mary's County Metropolitan Commission; and pledging such revenues from the State of Maryland and unlimited taxing power of the Board of County Commissioner's of St. Mary's County, as the security for the payment of said bonds.

## RECITALS

St. Mary's County Metropolitan Commission (the "Commission"), has scheduled to adopt a resolution (the "Resolution") authorizing the issuance and sale of not exceeding \$2,100,000 of bonds, designated St. Mary's County Metropolitan Commission Infrastructure Bonds, 1999 Series A (the "Bonds"), for the public purposes of providing a portion of the funds necessary for the financing of the Wicomico Shores Sewer and Water, Phase II, and Maryland Route 235 Sewer and Water relocations Phase I and II, and paying the costs of issuing the Bonds by the Commission in connection with the issuance, sale and delivery of the Bonds, said Resolution to be duly adopted on February 11, 1999.

Section 113-1 to 113-28, inclusive, of the Code of Public Local Laws of St. Mary's County (1978 Edition, as amended, being Article 19 of the Code of Public Local Laws of Maryland), as enacted by Chapter 369 of the Laws of Maryland), as amended (the "Act"), authorizes the issuance of bonds for the purposes set forth in the Act. The Act provides that such bonds shall be issued upon the full faith and credit of the Board of County Commissioners of St. Mary's County, and further provide the form of guarantee to be executed on such bonds by the Board of County Commissioners of St. Mary's County.

This Board concurs in the judgement of the Commission to be set forth in its Resolution and deems it desirable to provide formally for the authority of the Commission to issue and sell the Bonds in the aforesaid maximum amount of \$2,100,000 all as authorized by the Act.

RECORDING FEE 0.00  
TOTAL 0.00  
Res#0423 Rec#4999999  
EWA TLO 01/4/99

Feb 22, 1999 09:41 am



NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, that:

SECTION 1. It concurs in the findings and judgement of the Commission to be set forth by the terms of its Resolution duly scheduled for adoption on February 11, 1999, and entitled:

RESOLUTION OF THE ST. MARY'S COUNTY METROPOLITAN COMMISSION, A BODY POLITIC AND CORPORATE OF THE STATE OF MARYLAND, PROVIDING FOR THE ISSUANCE AND SALE OF UP TO \$2,100,000 AGGREGATE PAR AMOUNT OF BONDS OF ST. MARY'S COUNTY METROPOLITAN COMMISSION, TO BE KNOWN AS "ST. MARY'S COUNTY METROPOLITAN COMMISSION INFRASTRUCTURE BONDS, 1999 SERIES A", TO BE ISSUED AND SOLD PURSUANT TO THE AUTHORITY OF SECTIONS 113-1 THROUGH 113-28 OF THE ST. MARY'S COUNTY CODE, AS AMENDED AND ARTICLE 83B SECTION 2-204(16)(IV) OF ANNOTATED CODE OF MARYLAND AS AMENDED FOR THE PURPOSE OF PROVIDING A PORTION OF THE FUNDS NECESSARY FOR THE FINANCING OF WICOMICO SHORES WATER AND SEWER PHASE II AND MARYLAND ROUTE 235 SEWER AND WATER RELOCATIONS PHASE I AND II AND PAYING THE COSTS OF ISSUING THE BONDS; PROVIDING THAT THE BONDS SHALL BE ISSUED UPON THE FULL FAITH AND CREDIT OF ST. MARY'S COUNTY AND GUARANTEED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND; PROVIDING FOR THE DISBURSEMENT OF THE PROCEEDS OF THE SALE OF THE BONDS; PROVIDING FOR THE LEVY AND COLLECTION OF ASSESSMENTS AND CHARGES TO PROVIDE FOR THE PAYMENT OF THE PRINCIPAL OF AND THE INTEREST ON THE BONDS WHEN DUE, AND TO THE EXTENT REVENUES FROM SUCH ASSESSMENTS AND CHARGE ARE INSUFFICIENT FOR THE LEVY OF ANNUAL TAXES UPON ALL ASSESSABLE PROPERTY WITHIN ST. MARY'S COUNTY MARYLAND FOR THE PAYMENT OF THE PRINCIPAL OF, PREMIUM, IF ANY, AND INTEREST ON THE BONDS AS THEY SHALL RESPECTIVELY MATURE; PROVIDING FOR THE FORM, TENOR, DENOMINATION, MATURITY DATE AND OTHER PROVISIONS OF THE BONDS; PROVIDING FOR THE SALE OF THE BONDS; AND PROVIDING FOR RELATED PURPOSES, INCLUDING THE METHOD OF FIXING THE INTEREST RATE TO BE BORNE BY THE BONDS.



This Board accordingly approves the issuance and sale of the Bonds in an amount not to exceed \$2,100,000 by the Commission upon the terms and conditions to be set forth in its Resolution, said terms conditions being hereby adopted and approved by this Board.

SECTION 2. The full faith and credit and unlimited taxing power of the Board of County Commissioners of St. Mary's County are hereby unconditionally and irrevocably pledged to the levy and collection of ad valorem taxes upon all of the assessable property within the corporate limits of St. Mary's County, Maryland, in rate and amount sufficient to pay, together with any other funds then lawfully available and set aside for such purposes, as and when such taxes may become necessary, the principal of, and interest on the Bonds when due and the principal at maturity on the Bonds authorized to be issued by the Resolution of the Commission. In the event that the ad valorem taxes prescribed by Section 113-7 of the Act, together with other revenues available for such purposes, are insufficient to pay the principal, and interest when due and the principal at maturity on the Bonds, the Board of County Commissioners of St. Mary's County hereby covenant and agree with each of the holders, from time to time, of the Bonds, in each and every fiscal year in which the Bonds are outstanding, to levy and collect ad valorem taxes upon all of the assessable property within the corporate limits of St. Mary's County, Maryland, in rate and amount sufficient to provide for the payment of such principal, when due and at maturity and such interest accrued to the date of payment, when due.

SECTION 3. The Board of County Commissioners of St. Mary's County acknowledges and authorizes the Commission to pledge, assign and grant a security interest to the Administration, its successors in trust and assigns, all right, title and interest of the Commission and the Board of County Commissioners of St. Mary's County in and to the Local Government Payment to be received by the Commission as contemplated and authorized by Article 83B, Section 2-204 (16)(iii) of the Annotated Code of Maryland, as amended, and as defined in the Pledge Agreement, now or hereafter acquired, to secure payment of the principal of, and interest on the Bonds and any other Local Obligations as defined in the Pledge Agreement, issued and to be issued from time to time by the Commission under the Infrastructure Program, all as more fully set forth and provided in the Pledge Agreement, it being understood that Local Government Payment does not include any funds to be received by the Board of County Commissioners of St. Mary's County.


SECTION 4. The form of endorsement that evidences the guarantee as to payment of the principal, and interest on the Bonds by the Board of County Commissioners of St. Mary's County shall be as is provided for in Section 113-6 of the Act.



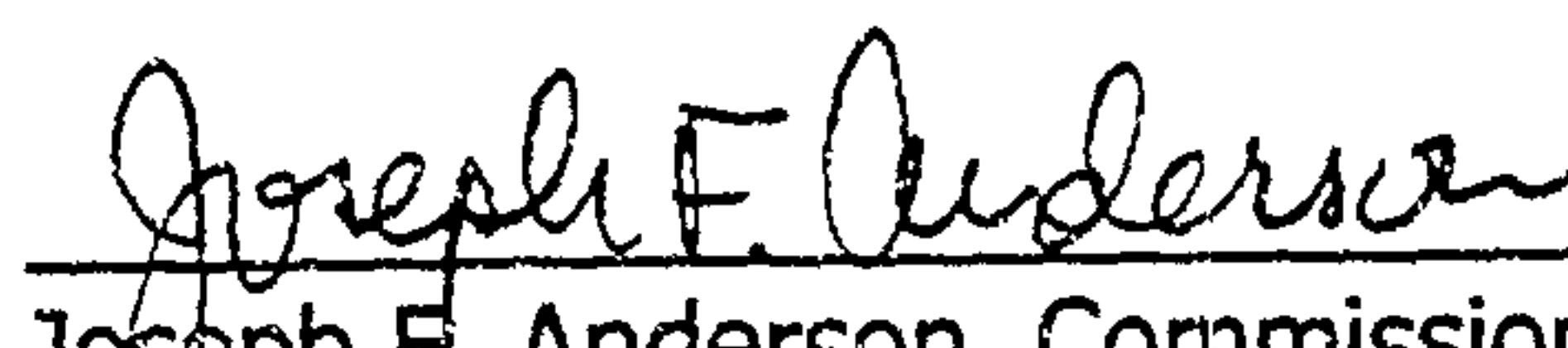
Such endorsement shall be signed and executed on each of the Bonds by the manual or facsimile signature of the President of the Board of County Commissioners of St. Mary's County; the corporate seal of the Board of County Commissioner of St. Mary's County shall be affixed thereto and attested by the manual or facsimile signature of the County Administrator of St. Mary's County.

SECTION 5. This Resolution shall take effect on the date of its adoption.

Adopted: February 9, 1999.

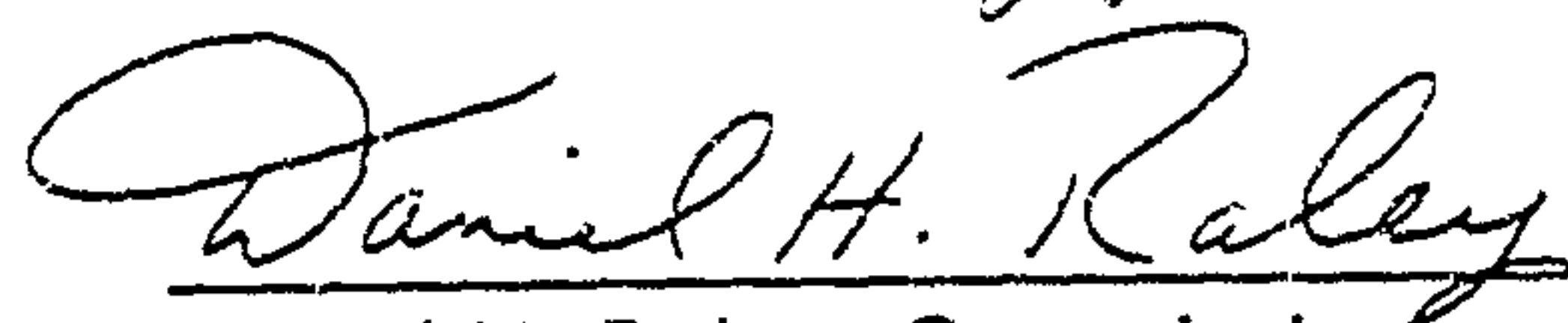
  
Julie B. Randall, President

(SEAL)


  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

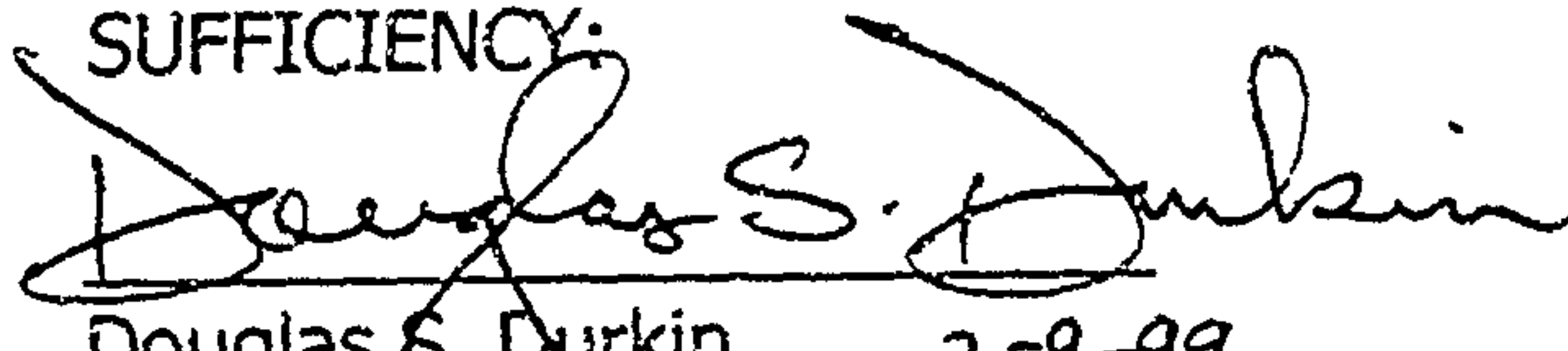
  
Thomas A. Mattingly, Commissioner

  
Daniel H. Raley, Commissioner

ATTEST:

  
Mortimer L. Smedley  
Acting County Administrator

APPROVED AS TO FORM AND LEGAL  
SUFFICIENCY:

  
Douglas S. Durkin 2-9-99  
County Attorney



COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND ✓

The payment of interest when due and the principal at maturity is guaranteed by the County Commissioners of St. Mary's County, Maryland. ✓

(SEAL)

COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND

By: *Julie B. Randall*  
Julie B. Randall, President  
Board of County Commissioners  
Of St. Mary's County

ATTEST:

*Mortimer L. Smedley*  
Mortimer L. Smedley  
Acting County Administrator

APPROVED AS TO FORM AND  
LEGAL SUFFICIENCY:

*Douglas S. Durkin*  
Douglas S. Durkin, 2-9-99  
County Attorney



No: 99-04

Subject: FY 1999 Supplemental Appropriation  
Department of Economic & Community  
Development

BOOK 0014 PAGE 0074

**ORDINANCE**

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 1999 General Fund Operating Budget to increase the appropriation for the Department of Economic and Community Development for St. Mary's County, and

WHEREAS, in accordance with the Code of Public Local Laws of Maryland, Article 19, (St. Mary's County) §27-9(A), the St. Mary's County Director of Finance will certify in writing, upon receipt, that funds anticipated in the approximate amount of \$550,000 which are to be collected from the sale of the Skipjack Property located in Lexington Park, Maryland, and which were previously acquired with Community Development Block Grant funding, and which will then be available for appropriation and transfer to the St. Mary's County Community Development Corporation as approved by the Maryland Department of Business and Economic Development on October 5, 1998, and

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on January 5, 1999, and continued to January 12, 1999, pursuant to Notice published on or about December 23, 1998 and December 30, 1998 in the Enterprise, and

WHEREAS, the Board of County Commissioners has determined that the Lexington Park area shall receive preference in funding from the proceeds of the sale of the Skipjack property by the St. Mary's County Community Development Corporation, and

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on January 5 and 12, 1999 to present and explain the requirements to increase the Fiscal Year 1999 Budget in the amount of \$550,000.00 (Five Hundred Fifty Thousand Dollars), and such increase is hereby approved this 9th day of February, 1999, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: RANDALL, Anderson, Guazzo, Mattingly, Raley  
Those voting Nay: \_\_\_\_\_  
Those Absent: \_\_\_\_\_

Date of Adoption: 2/4/99

Effective Date: 2/9/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly  
Thomas A. Mattingly, Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Acting County Administrator

Steven E. Welkos  
Director of Finance

RECORDING FEE 0.00  
TOTAL 0.00  
Res#SM83 Rec#1999999  
EWA TLC BIK#2198  
Feb 22, 1999 08:42

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Douglas S. Durkin 2/10/99  
Douglas S. Durkin  
County Attorney



RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on August 26, 1997 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

RECORDING FEE 0.00  
TOTAL 0.00  
Reg#SM83 Rcrt#999999  
EWA TLC BU#2190  
Feb 22, 1999 08:45 am

RECITALS

On August 26, 1997, the County Commissioners of St. Mary's County (the "County") adopted its Resolution (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1997 dated September 1, 1997 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 1 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 97-33, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 97-33.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$55,000 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 360 of the Laws of Maryland of 1992, as amended, Chapter 52 of the Laws of Maryland of 1993, as amended, Chapter 439 of the Laws of Maryland of 1996, as amended, Section 46-2 of the St. Mary's County Code, as amended, and Sections 2C and 24 of Article 31 of the Annotated Code of Maryland, as amended, and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

**BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:**

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on August 26, 1997 (the "Authorizing Resolution") authorizing the issuance and sale of \$26,555,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1997, dated September 1, 1997 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$55,000 from the proceeds of



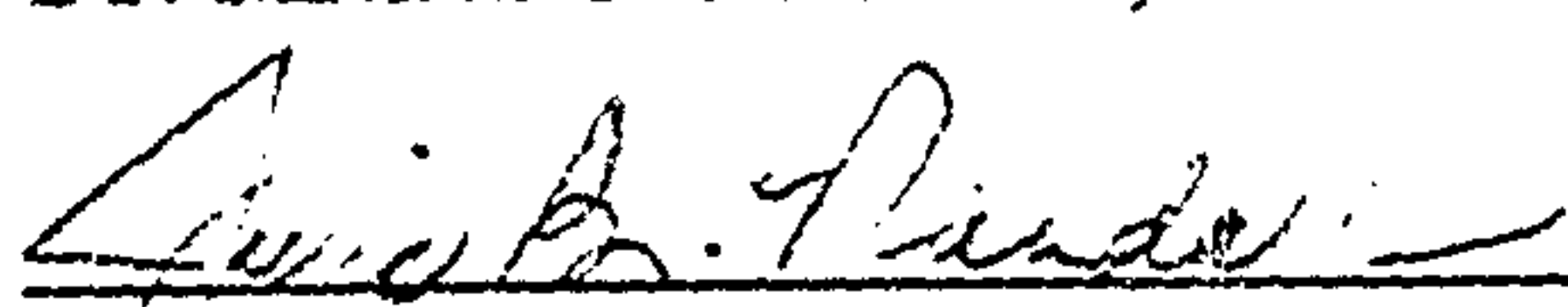
the sale of the Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution.

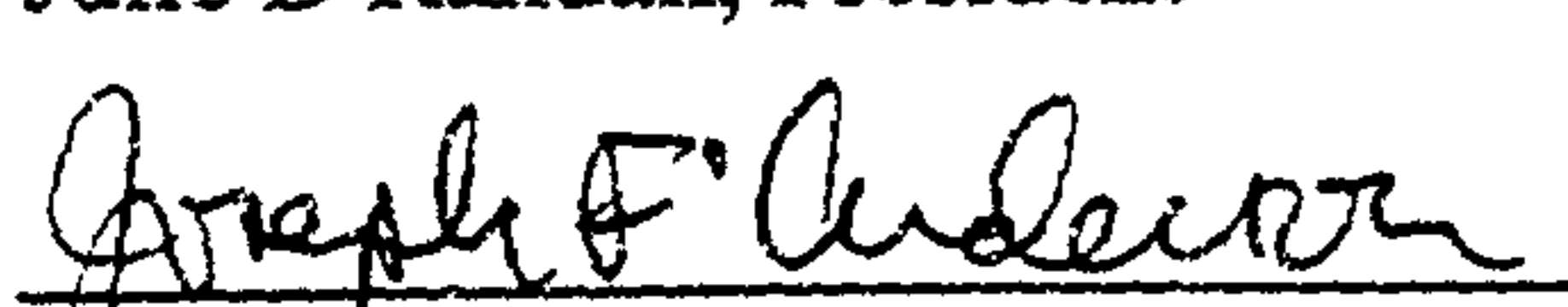
Section 3: This Supplement Resolution shall become effective immediately upon its passage.


Date of Adoption: 2/9/99

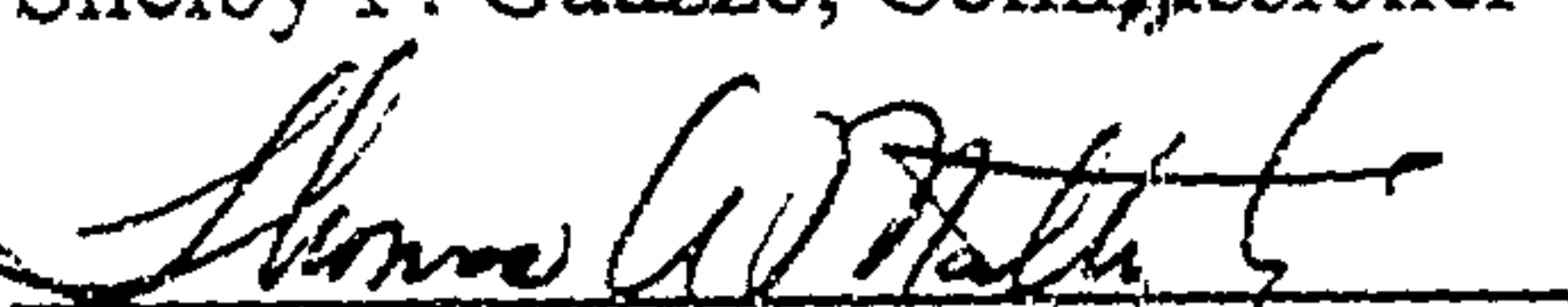
Effective Date: 2/9/99

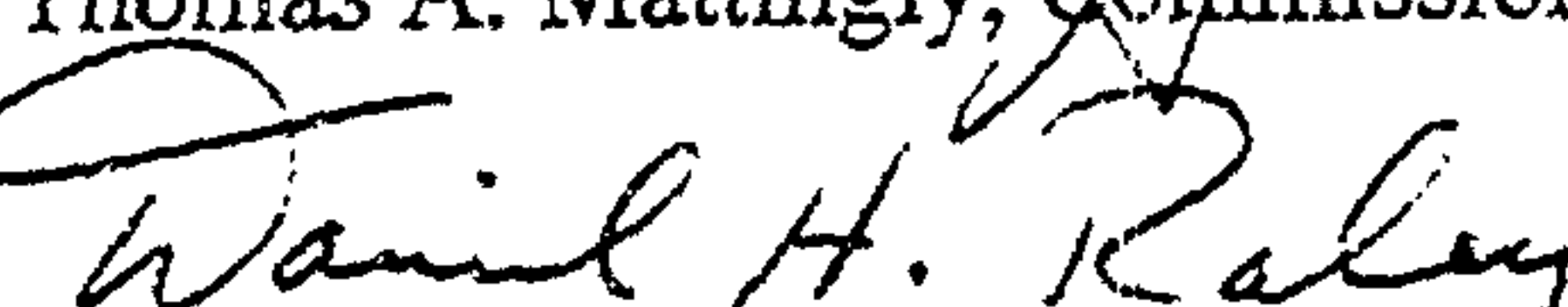
BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND

  
Julie B. Randall, President

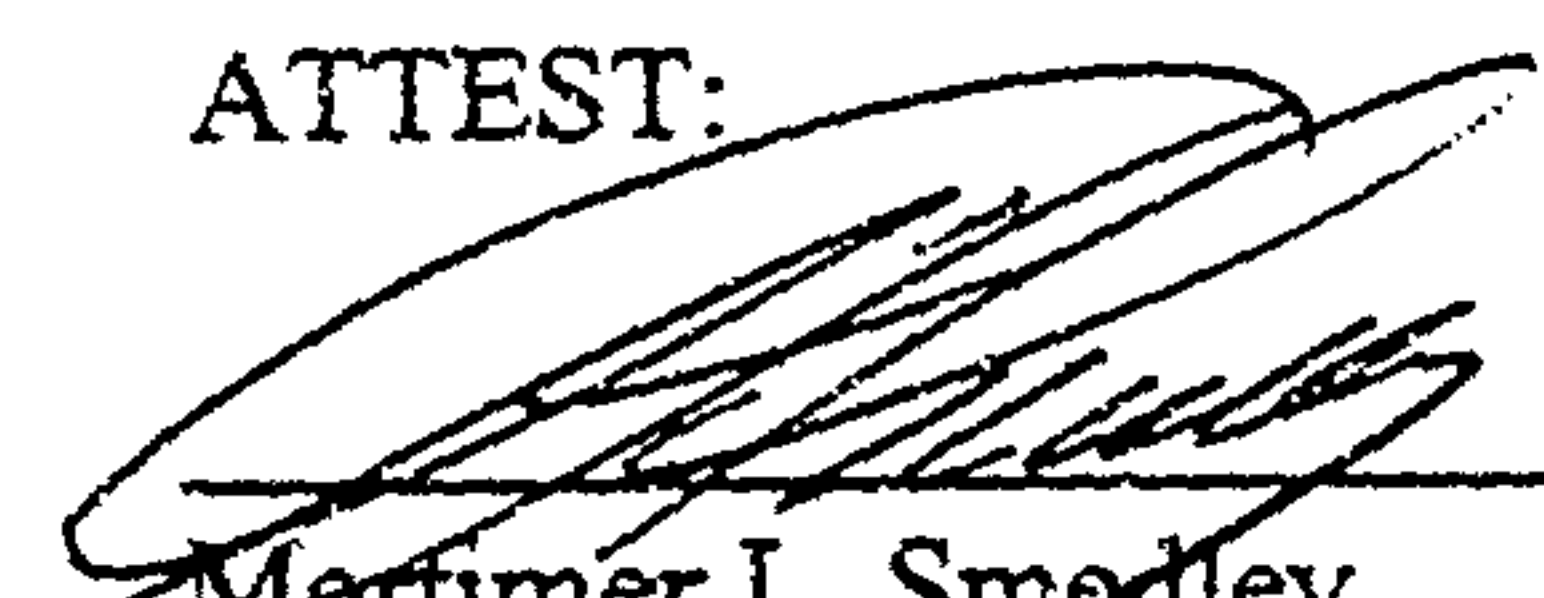
  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Commissioner

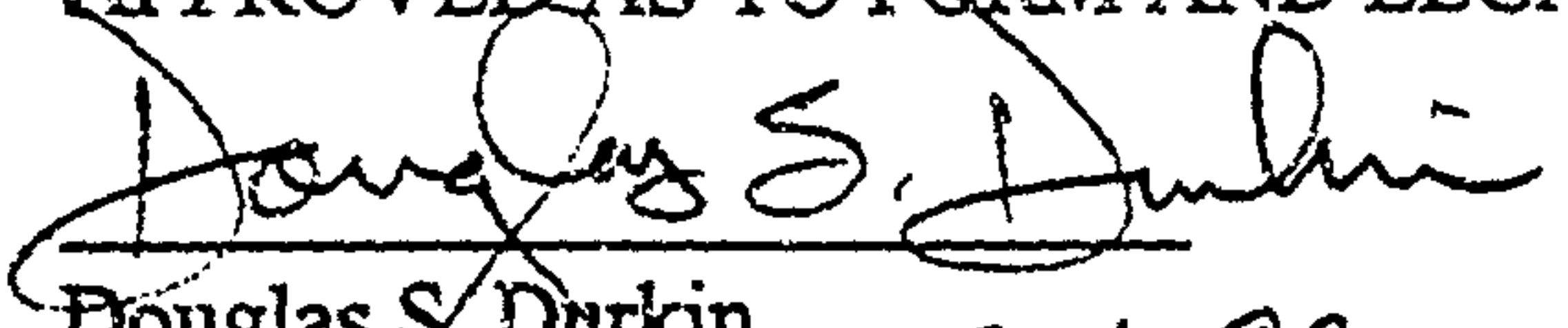
  
Daniel H. Raley, Commissioner

ATTEST:

  
Merfimer L. Smedley  
Acting County Administrator

  
Steven E. Welkos  
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

  
Douglas S. Darkin  
County Attorney 2-1-99



Description of Additional Projects Authorized to be Financed with  
the Proceeds of the County Commissioners of St. Mary's County  
Public Facilities Bonds of 1997.

Loveville Relocatables	\$55,000
------------------------	----------



RESOLUTION

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland is authorized to open, alter or close certain public roads within St. Mary's County, Maryland, pursuant to Article 25, §136 of the Annotated Code of Maryland.

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland, following the procedures set forth in Article 25, §136, is proposing that Frogs Marsh Road (County Route 30302) and Drayden Road (County Route 30899) located in the Second (2<sup>nd</sup>) Election District, be realigned for a length of approximately 545 feet, in conjunction with the County's Adequate Facilities requirements as shown on the attached Exhibit "A" and in accordance with road construction plans entitled "Porto Bello Estates - Cluster Subdivision dated August 1997".

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland conducted a public hearing on said realignment on February 2, 1999 following due notice of such hearing.

WHEREAS, after the consideration of all public comments, information and documentation pertaining to the aforesaid realignment of Frogs Marsh Road and Drayden Road located in the Second (2<sup>nd</sup>) Election District, the Board of County Commissioners of St. Mary's County has determined that the public interest will best be served by granting such action.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners of St. Mary's County, Maryland that 545 feet of Frogs Marsh Road and Drayden Road be realigned.

BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND

ABSENT

Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby Guazzo  
Shelby Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

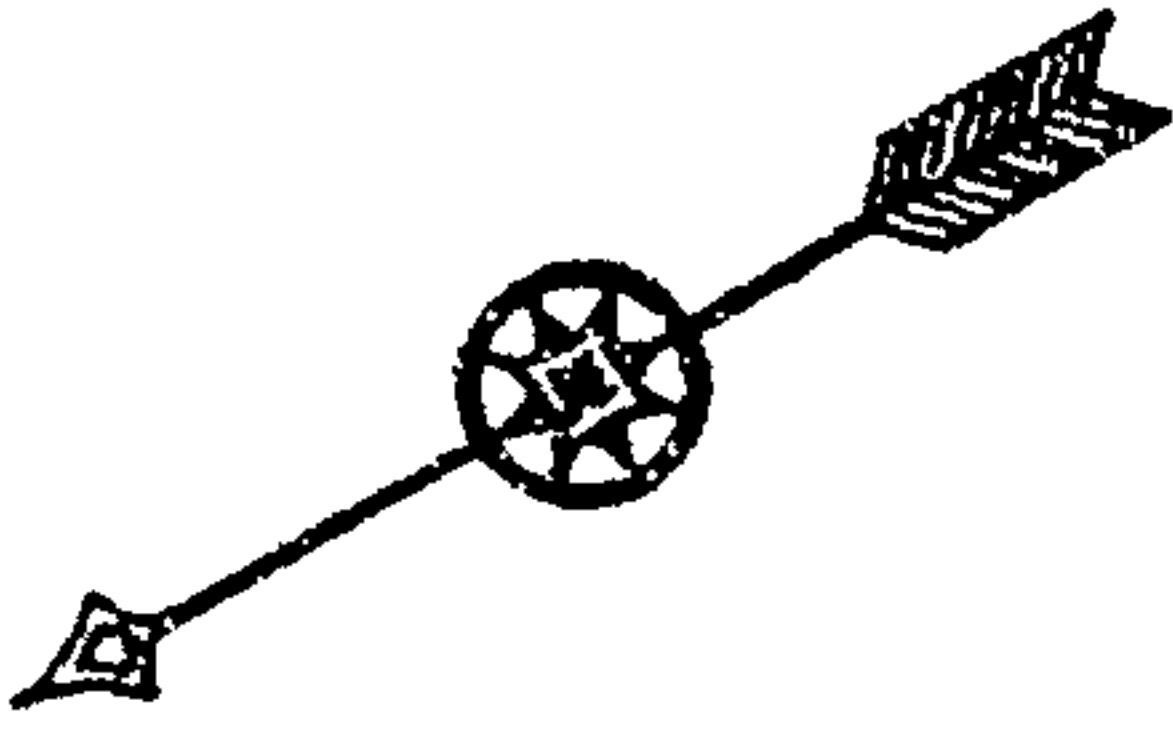
Daniel H. Raley  
Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL  
FORM AND SUFFICIENCY:

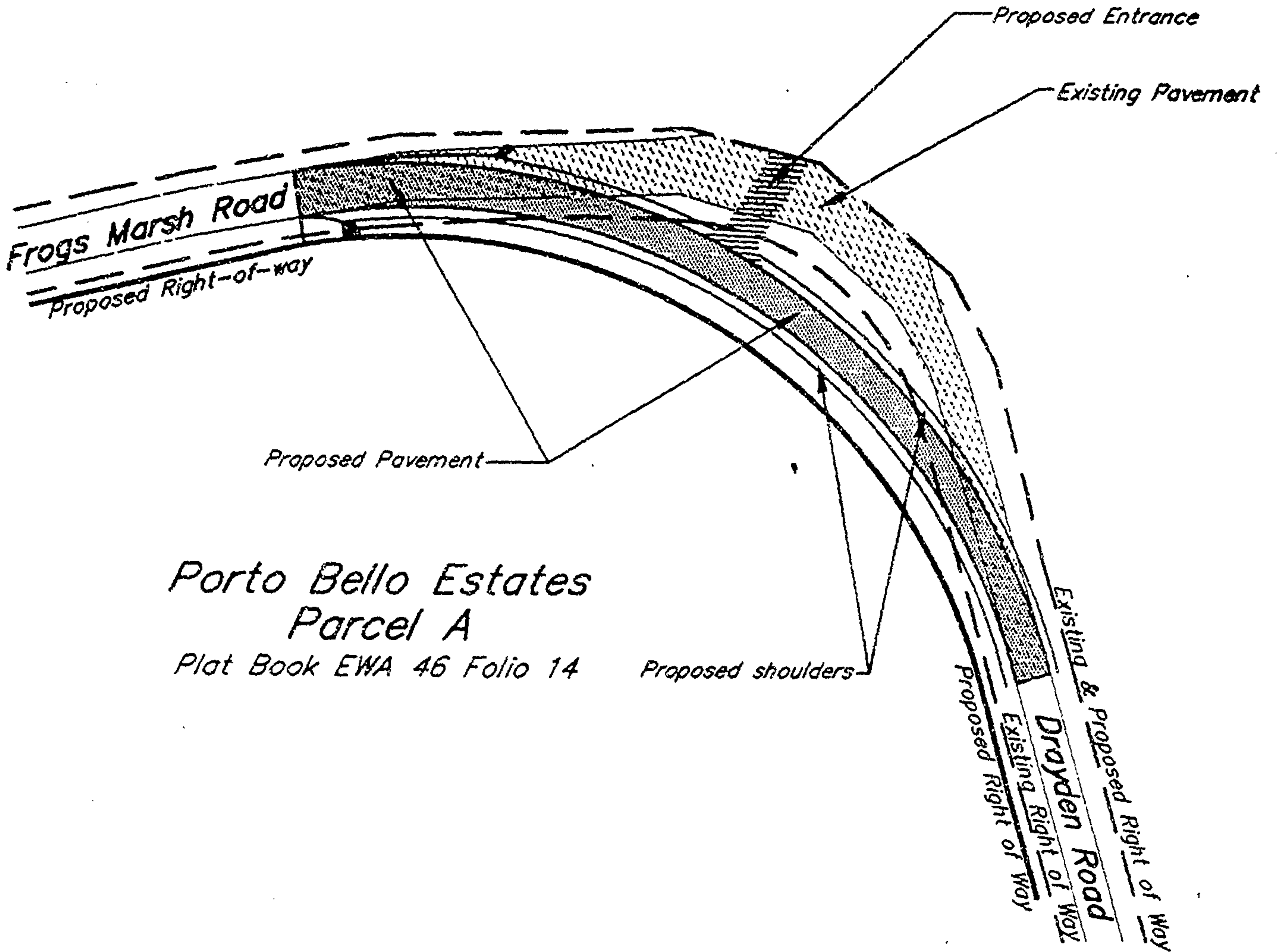
Patricia J. Moore  
Patricia J. Moore, Esquire  
Conflicts Counsel

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5493 Rpt#999999  
EMA TLC Bk#2190  
Feb 22, 1999 08:45 am





N/F Benjamin Bradley  
& Sally Quinn  
EWA 1142 Folio 342



Porto Bello Estates  
Parcel A  
Plat Book EWA 46 Folio 14

EXHIBIT A  
**Realignment  
Of Frogs Marsh Road  
And Drayden Road**

Second Election District  
St. Mary's County, Maryland

**Mudd Engineering**  
140-A Three Notch Road  
Lexington Park, Maryland  
Phone (301) 862-5282

Scale 1" = 100'	Cont. No.	Date
F. Bk.	Drawn by: FAB	12-7-98



BOOK 0014 PAGE 0080

NO. : 99-07  
SUBJECT : Waiver of Landfill Fees for  
Christmas in April Projects

RESOLUTION

WHEREAS, the Ninth (9<sup>th</sup>) Annual Christmas in April Program will take place locally on April 24, 1999; and

WHEREAS, over 12,000 volunteers have performed over \$1,200,000 in repairs on over 253 homes occupied by elderly, handicapped and low-income countians since 1991; and

WHEREAS, the Board of County Commissioners of St. Mary's County wishes to support continuation of these efforts.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners of St. Mary's County that landfill fees for trash and debris associated with Christmas in April projects be waived.

Adoption Date: 2/2/99

Effective Date: 2/2/99

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

RECORDING FEE 0.00  
TOTAL 0.00  
Res#SM03 Rcrt#999999  
EWA NB 01/1151  
Mar 15, 1999 09:03 AM



BOOK 0014 PAGE 0081

Subject: Cable Advisory Committee

**PURPOSE**

For the purpose of approving the transfer of control of cable television franchisee Cable TV Fund 14-A Ltd. from Jones Intercable, Inc. to Comcast Corporation

**RESOLUTION**

WHEREAS, Section 21 of the County's Cable Television System Franchise Act Ordinance (Resolution 90-17) requires that the Board of County Commissioners for St. Mary's County, Maryland ("Grantor"), approve a transfer of control or ownership of a cable television franchise; and

WHEREAS, The Board of County Commissioners for St. Mary's County entered into a 10-year, nonexclusive cable television franchise agreement with Cable TV Fund 14-A Ltd. ("Grantee"), effective January 1, 1991 and dated March 2, 1992; and

WHEREAS, Cable TV Fund 14-A Ltd. is a limited partnership organized under the laws of the State of Colorado of which Jones Intercable, Inc., a corporation organized under the laws of the State of Colorado, is the Managing General Partner, doing business locally as "Jones Intercable"; and

WHEREAS, Jones International, Ltd. and certain of its affiliates (the "Jones Entities") currently own, directly or indirectly, more than 50 percent of the Common Stock of Jones Intercable (the "Control Shares") and, consequently, are entitled, in the aggregate, to elect 75 percent of the Board of Directors of Jones Intercable; and

WHEREAS, On August 12, 1998, the Jones Entities entered into an agreement with Comcast Corporation ("Comcast") to sell the Control Shares to Comcast (the "Jones/Comcast Agreement"); and

WHEREAS, Pursuant to the Jones/Comcast Agreement, Grantor has received a request to approve the transfer of control of Grantee from the Jones Entities to Comcast and, subsequently, to its wholly-owned subsidiary, Comcast Cable Communications, Inc.; and

WHEREAS, Once the transfer of control is complete, Grantee will continue to be bound by the terms of the franchise agreement;

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that there is hereby approval of the Jones Entities' transfer of control agreement with Comcast; and

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that the Grantor is aware of no circumstances or conduct by Grantee as of the date hereof which would constitute a default by Grantee of its obligations under the franchise agreement; and

NOW, THEREFORE BE IT RESOLVED, by the Board of County Commissioners for St. Mary's County, Maryland, that the approval granted herein shall be effective only upon the transfer of control, and Comcast shall notify Grantee promptly upon the transfer of control.

Those voting Aye: Banwalk Anderson, Guazzo, Mattingly, Bailey

Those voting Nay: \_\_\_\_\_

Those Absent: \_\_\_\_\_

RECORDING FEE 0.00  
 TOTAL 0.00  
 Res:KSM63 Rcr:1999999  
 EPA NB BDK41151  
 Mar 15, 1999 09:04 am



DATE ADOPTED: 3/9/99

EFFECTIVE DATE: 3/9/99

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

ATTEST:

Mortimer Smedley  
Mortimer Smedley  
Acting County Administrator

APPROVED AS TO LEGAL FORM  
AND SUFFICIENCY:

Kimberly M. Shearin  
Kimberly M. Shearin,  
Assistant County Attorney

U:\DATA\LAWDAT\KMS\BOCC\TRANSFER.RES



No. Z99-01

Subj: CDSP #98-2120  
Tudor Hall Village  
Growth Allocation Request

BOOK 0014 PAGE 0083

RECORDING FEE 0.00  
TOTAL 0.00  
Res#3723 Rcpt#999999  
EHA NB BLK#1585  
Mar 17, 1999 11:38 am

ORDINANCE

WHEREAS, Application No. CDSP 98-2120 was filed with the Department of Planning & Zoning by KAAV, LLC on July 31, 1998; and

WHEREAS, said application requests approval of 31.64 acres of the County's growth allocation, under the design competition category, to change the Critical Area Overlay Zone from LDA (Limited Development Area) to IDA (Intense Development Area) to accommodate Tudor Hall Village, a Mixed-Use PUD located entirely within the corporate limits of Leonardtown on Tax Map 133, Block 9, Parcel 228; and

WHEREAS, the growth allocation request was submitted at the suggestion of the Critical Area Commission, in accordance with Section 38.2.17.b of the St. Mary's County Zoning Ordinance; and

WHEREAS, Section 38.2.17.b allows projects within the corporate limits of Leonardtown to apply for portions of the St. Mary's County growth allocation and be considered through the annual growth allocation application approval process; and

WHEREAS, the Town of Leonardtown's entire growth allocation allotment of four (4) acres has been dedicated for the hotel and conference center portion of this PUD, if the County's growth allocation is approved; and

WHEREAS, the Town's growth allocation allotment of (four) 4 acres to the hotel and conference center was approved by the Critical Area Commission as a "refinement" to the Leonardtown Critical Area Program on November 4, 1998; and

WHEREAS, due notice having been given, the St. Mary's County Planning Commission conducted a public hearing on the county growth allocation request on November 23, 1998; and

WHEREAS, the St. Mary's County Planning Commission, by unanimous vote on December 14, 1998, recommended approval of the growth allocation request to the Board of County Commissioners; and

WHEREAS, due notice having being given, the Board of County Commissioners conducted a public hearing on the growth allocation request on February 23, 1999; and

WHEREAS, the request of KAAV, LLC of a portion of the County's growth allocation for development of Tudor Hall Village was based on certain assumptions regarding the scope and nature of Tudor Hall Village;

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND (THE "COUNTY"), that:

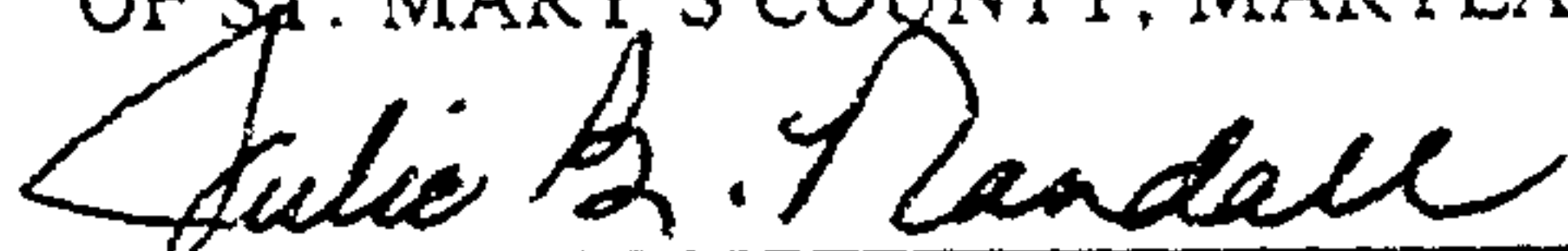
1. Use of 31.64 acres of the County's growth allocation for Tudor Hall Village is hereby approved pursuant to Section 38.2.17.b of the St. Mary's County Zoning Ordinance, subject to satisfaction of the conditions precedent set forth below.
2. The approval set forth in this Ordinance is based upon Tudor Hall Village having the following characteristics: Tudor Hall Village will be located on an approximately 390-acre parcel of land located in Leonardtown, Maryland, and will consist of (a) a resort hotel having approximately 255 guest rooms/suites, (b) a conference center containing approximately 25,000 square feet of meeting space, and (c) an 18-hole golf course and club house (clauses (a), (b) and (c) are collectively referred to as the "Public Portion"), and (d) a residential community consisting of approximately 593 residences, together with related commercial and retail space (clause (d) is referred to as the "Private Portion"). Tudor Hall Village is more particularly described in a Briefing Paper compiled by Ferris, Baker, Watts, Incorporated, which has been delivered to the County and is incorporated herein by reference and made a part hereof as a description of Tudor Hall Village.



3. The approval set forth in this Ordinance is subject to the satisfaction of the following conditions precedent:  
(a) the preparation and execution of a written agreement between the County and Leonardtown regarding: the financing of the Public Portion, the division between the County and Leonardtown of certain revenues from the Public Portion and certain other matters relating to the Public Portion; (b) completion of the financing set forth in the briefing paper described in paragraph 2. and (c) development of Tudor Hall Village as described in paragraph 2 above.
4. The approval set forth in this Ordinance shall expire within six months from the date of the Chesapeake Bay Critical Area Commission's conditional approval, without any further action required to be taken by the County or any other person, if the conditions set forth in paragraph 3 have not been satisfied.
5. The satisfaction of the conditions set forth in this Ordinance shall be determined by the County in its sole discretion. This Ordinance shall be null and void if the Critical Area Commission approval does not contain the same conditions that are set forth in this Ordinance.

This date: March 9, 1999

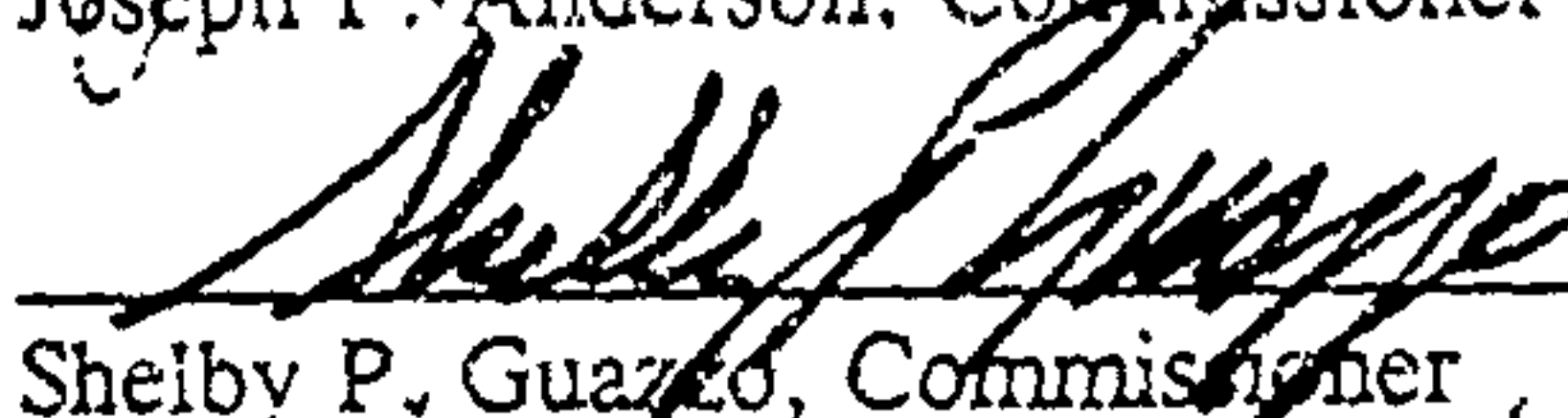
BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



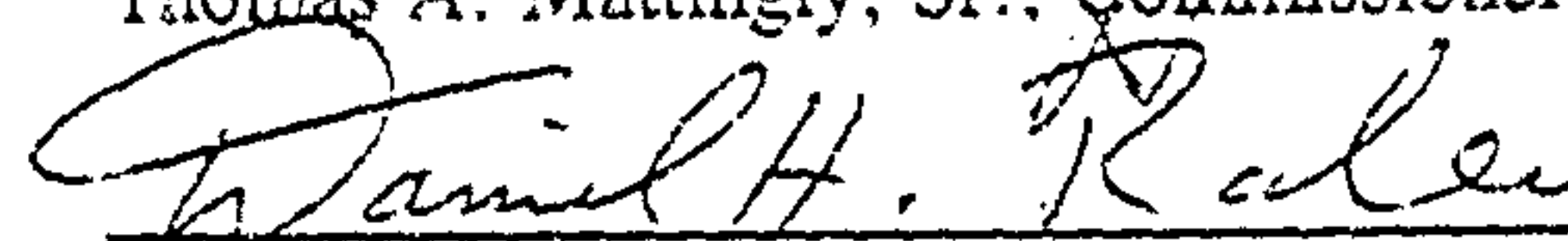
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

Attest:

  
Mortimer L. Smedley

Acting County Administrator



BOOK 0014 PAGE 0085

No. Z-99-02

Subj: ZONE #98-1151  
St. Mary's Industrial Park  
Lot 500-1, Section 1

RECORDING FEE 8.00  
TOTAL 8.00  
Res#3083 Rcr#4999999  
EMA MAB BIK#1770  
Mar 18, 1999 02:00 PM

### ORDINANCE

WHEREAS, Application No. ZONE #98-1151 was filed with the Department of Planning and Zoning by the St. Mary's County Metropolitan Commission on April 17, 1998; and

WHEREAS, said application requests rezoning of Lot 500-1, Section 1, of the St. Mary's Industrial Park from RTC/I (Residential Town Center / Industrial) to I (Industrial). The property contains 3.2 acres and is located on the left side of Commerce Avenue, off of Airport View Drive, within Parcel 548 of Block 1, on Tax Map 34, in the Sixth Election District of St. Mary's County; and

WHEREAS, said application was reviewed by all TEC agencies during the November 1998 TEC cycle, and all applicable TEC agencies either recommended approval or offered "no comment" on the rezoning request; and

WHEREAS, due notice having been given and all property owners within 200 ft. of the subject property having been notified by Certified Mail, the St. Mary's County Planning Commission conducted a public hearing on the application on January 11, 1999; and

WHEREAS, on January 25, 1999, the Planning Commission, by unanimous vote, recommended approval of the rezoning to the Board of County Commissioners, based on mistake in original zoning, as specified in their Resolution dated January 25, 1999; and

WHEREAS, due notice having been given and all property owners within 200 ft. of the subject property having been notified by Certified Mail, the Board of County Commissioners conducted a public hearing on the request on February 23, 1999; and

WHEREAS, information was presented in the applicant's submission, in the staff report and in the Planning Commission Resolution recommending approval based upon a mistake in the 1990 zoning of the subject property;

NOW, THEREFORE, BE IT ORDAINED, that the following findings are adopted:

This lot, formerly the Homestead Auction site, is located in the Sixth Election District of St. Mary's County, contains 3.2 acres and is currently divided by a zoning boundary line (RTC/I). It is improved by an existing building, a roofed-over area, parking area and stormwater retention area, all of which fall within the industrially zoned portion of the lot. A gravel access to Sandy Bottom Road runs along the westerly side of the lot. The property was purchased by the St. Mary's County Metropolitan Commission for the purpose of establishing a central facility to serve the water/sewer needs of the county. The rezoning request is precipitated by applicant's desire to expand the existing parking facility and equipment storage area, which fall in the portion of the site currently zoned RTC.

The RTC/I zoning boundary was established on zoning maps prepared in 1974. Section 1 of the Industrial Park was originally subdivided in 1975. Resubdivision of this lot to 500-1 occurred on 10/19/94. In both instances, this lot was inappropriately split by the original zoning boundary.

The 1990 comprehensive rezoning carried all Industrial zoning classifications forward; therefore, the RTC/I split boundary was in error on the 1990 zoning maps during the comprehensive zoning process and did not recognize the entirety of the platted industrial park lot.

BE IT FURTHER ORDAINED, that, in accordance with the provisions of Section 4.05(a) of Article 66B of the Annotated Code of Maryland and Section 70.05 of the St. Mary's County Zoning Ordinance, the Board of County Commissioners find as fact the following with regard to the rezoning application:

I. Definition of Neighborhood:

The neighborhood surrounding the site includes the entire Industrial Park area, which contains similar uses. Attached as Appendix 1 is a map depicting the limits of the "neighborhood."



BOOK 0014 PAGE 0086

No. Z-99-02

Subj: ZONE #98-1151  
St. Mary's Industrial Park  
Lot 500-1, Section 1  
Page 2 of 3

- II. Change in the Neighborhood:  
No substantial change has occurred in the neighborhood since the 1990 comprehensive zoning; however, two other properties similarly split by a zoning boundary line have been rezoned to Industrial since 1990.
- II. Mistake in Original Zoning:  
This parcel is located within an Industrial Park established for industrial uses, and is surrounded by land that is also zoned Industrial. As depicted on Appendix 1, the RTC/I zoning boundary bisects the lot. This split-zoning was established by the 1975 subdivision of the Industrial Park and carried forward in the 1990 comprehensive zoning process, creating a mapping error. Furthermore, in the 1988 Comprehensive Plan, all of this property is shown as part of the Lexington Park Development District. The neighborhood boundary of the Industrial Park, which abuts this lot, should have been the zoning boundary.
- Precedent has been established for the rezoning of bisected lots in the Industrial Park, the most recent being #95-2591, J. J. Mailing, approved by the previous Board of County Commissioners on 3/19/96.
- III. Population Change:  
The 1990 Census showed a county population of 75,974, a 20% increase over the 1980 figure of 59,895. The 1995 figures showed a growth of 6.5%, more than 2.5% over the 1988 Comprehensive Plan consideration of a 24% increase by the year 2000.
- IV. Availability of Public Facilities
- A. Water and Sewer  
The site is served by central water and sewer facilities which are adequate to serve the site according to the St. Mary's County Metropolitan Commission. Capacity is allocated by the Planning Commission as part of the plan approval process.
- B. Roads  
The lot is located on Commerce Avenue, off of Airport View Drive, which will provide adequate access to the site. Only a minor increase in traffic is anticipated. The existing gravel access to Sandy Bottom Road will be gated and used for emergency traffic only.
- C. Schools  
Not a factor in this proposed industrial use.
- D. Police  
No change is anticipated.
- E. Parks  
Not applicable.
- F. Government Services  
No impact to government services is anticipated.
- G. Fire and Rescue  
No impact to Fire and Rescue is anticipated from the proposed rezoning. All interior and exterior fire safety measures will be employed.
- V. Present and Future Transportation Patterns  
The majority of vehicular and truck traffic utilizes Commerce Avenue, Airport View Drive, and MD 235 when entering and exiting the site, and this pattern will continue. The gravel access to Sandy Bottom Road will be closed except for emergency use.
- VI. Compatibility with Existing and Proposed Developments  
Lot 500-1 is located within the St. Mary's Industrial Park and is surrounded by RTC/I property on one side and public rights-of-way on two sides. The Lexington Park Development District boundary runs along the fourth side, separating the Industrial Park from residential property to the west. The majority of properties in the Industrial Park are zoned I. The proposed parking expansion for the water/sewer office and pump shop is compatible with Industrial zoning and the surrounding development.



BOOK 0014 PAGE 0087

No. Z-99-02

Subj: ZONE #98-1151  
St. Mary's Industrial Park  
Lot 500-1, Section 1  
Page 3 of 3

VIII. Relationship to the Comprehensive Plan

The Comprehensive Plan dictates that future growth shall be concentrated in areas of the county already served by public water/sewer, and that future industrial uses shall locate in and near existing industrial uses near the airport, near the Leonardtown and Lexington Park areas, and in Town Centers. The proposed rezoning satisfies all of these requirements and is consistent with the policies of the Comprehensive Plan.

IX. Fiscal Impact on Government

The St. Mary's County Metropolitan Commission is a quasi-government agency which is partially funded by County Government. No fiscal impact is anticipated, except that establishment of a central facility should increase efficiency in providing services to residents in the central and northern portions of the county.

X. Suitability of the Property for Existing and Proposed Zoning Classifications

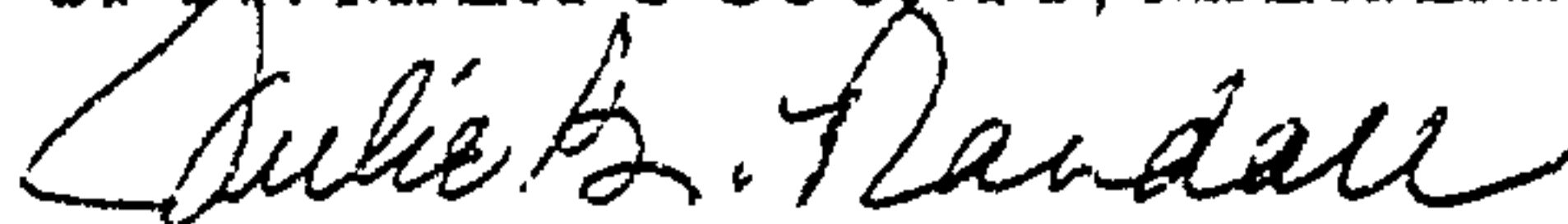
This lot, established and approved in an Industrial Park created specifically for this type of use, attests to the suitability of the site. Buffering and screening will be provided along the adjacent residential property as required by the Zoning Ordinance and will be ensured through the site plan approval process.

BE IT FURTHER ORDAINED that, having made a finding that Mistake in Original Zoning has been demonstrated, the requested rezoning of Lot 500-1 from Residential Town Center / Industrial (RTC/I) to Industrial (I) be , and it hereby is APPROVED, as requested; and

BE IT FURTHER ORDAINED that the official zoning maps for St. Mary's County, Maryland be amended to reflect this map amendment.

This date: March <sup>16</sup> 1999

BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner




Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

Attest:

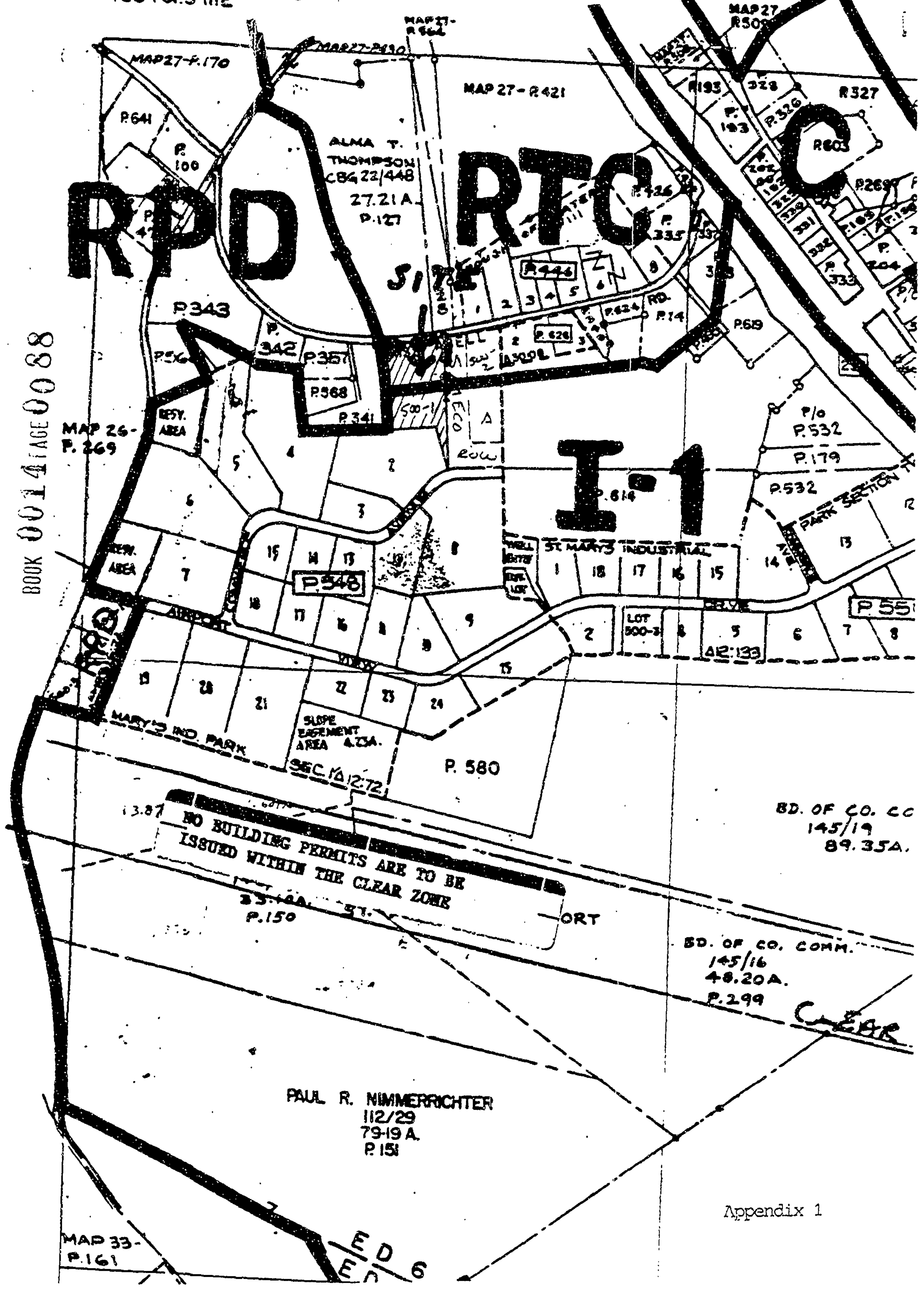
  
Mortimer L. Smedley  
Acting County Administrator



10000.0 MN  
438431.9 mE

# CURRENT ZONING MAP

BOOK 001 PAGE 0088



NO BUILDING PERMITS ARE TO BE  
ISSUED WITHIN THE CLEAR ZONE

BD. OF CO. CC  
145/19  
89.35A.

BD. OF CO. COMM.  
145/16  
48.20A.  
P.299  
*CLEAR*

PAUL R. NIMMERRICHTER  
112/29  
79-19 A.  
P.151

Appendix 1

MAP 33-  
P.161

F/D 6



SUBJ: Public Facilities Bonds of 1993  
Asphalt Overlay  
Page 1 of 3

BOOK 0014 PAGE 0089

### RESOLUTION

RECORDING FEE 8.00  
TOTAL 8.00  
Res#SN93 Rort#999999  
EWA MAB 81k#1770  
Mar 18, 1999 02:01 PM

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY for the purpose of supplementing the Resolution of the County adopted on March 2, 1993 authorizing the issuance of general obligation bonds of the County by designating certain new projects as additional projects authorized to be financed with the proceeds from the sale of such bonds.

### RECITALS

On March 2, 1993, the County Commissioners of St. Mary's County (the "County") adopted its Resolution (the "Authorizing Resolution") authorizing the issuance and sale of \$8,375,000 County Commissioners of St. Mary's County Public Facilities Bonds of 1993 dated March 15, 1993 (the "Bonds"), a portion of the proceeds of which were to be used to finance the construction, improvement or development of certain capital projects described in such Authorizing Resolution (the "Original Projects").

Section 5 of the Authorizing Resolution provides that the proceeds of the Bonds shall be applied to the payment of the cost of the projects described in Resolution No. 93-09, unless the County by resolution authorizes the application of the proceeds of the Bonds to other capital projects of the County, and any unexpended proceeds of the Bonds shall otherwise be applied as provided in Resolution No. 93-09.

The County has determined that a portion of the proceeds of the sale of the Bonds originally designated to be used to finance the costs of the Original Projects is no longer required for such purpose.

The County has determined that it is in its best interest to use \$1,100,000 of the proceeds of the Bonds to finance all or a portion of the costs of certain projects listed on Schedule A attached hereto.

The County has further determined that the projects being financed by the proceeds of the Bonds and listed on Schedule A attached hereto have been authorized by Chapter 705 of the Laws of Maryland of 1981 and have been approved by St. Mary's County Board of County Commissioners Approved Budget.

### BE IT RESOLVED BY COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1: The authorizing resolution adopted by the County Commissioners of St. Mary's County on March 2, 1993 (the "Authorizing Resolution") authorizing the issuance and sale of \$8,375,000 aggregate principal amount of County Commissioners of St. Mary's County Public Facilities Bonds of 1993, dated March 15, 1993 (the "Bonds") is hereby supplemented for the sole purpose of designating the projects described in Section 2 below as additional projects the costs of which are authorized to be financed with the proceeds of the sale of the Bonds.

Section 2: The County hereby finds and determines that a portion of the proceeds from the sale of the Bonds designated to finance the construction, improvement or development of certain capital projects approved by the Authorizing Resolution is no longer required for such purpose. The County hereby designates \$1,100,000 from the proceeds of the sale of the Bonds to be used to finance the construction, improvement or development of the projects in the County set forth in Schedule A attached to and made a part of this Resolution. The designation of such additional



BOOK 0014 PAGE 0090

RESOLUTION NO. 99-09

SUBJ: Public Facilities Bonds of 1993

Asphalt Overlay

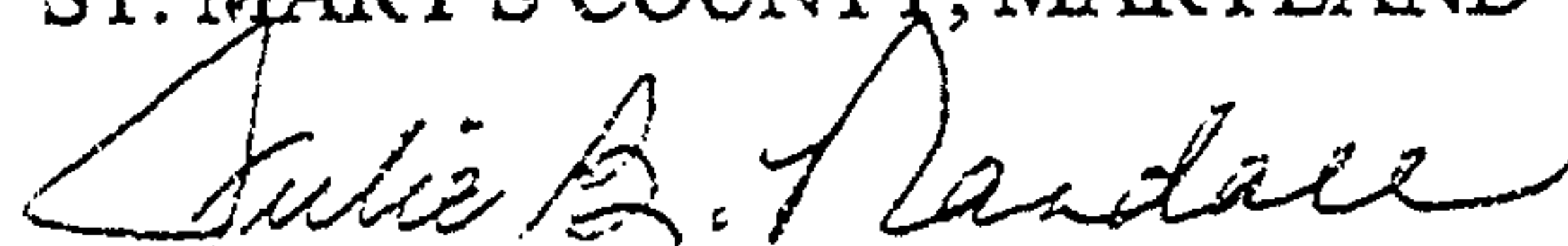
Page 2 of 3

projects authorized to be financed from the proceeds of the sale of the Bonds shall in no way limit the County from designating such further additional projects as permitted under the Authorizing Resolution and shall in no way modify, amend or rescind any other provisions of the Authorizing Resolution other than to reduce the funding for St. Andrews Landfill by a like amount.

Section 3: This Supplement Resolution shall become effective immediately upon its passage.

ADOPTED this 16th day of MARCH, 1999.

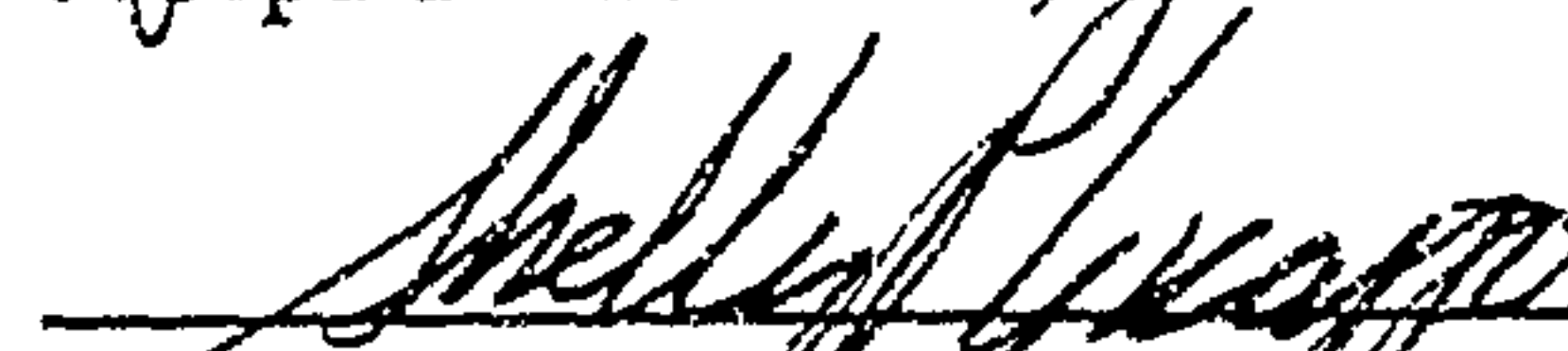
BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



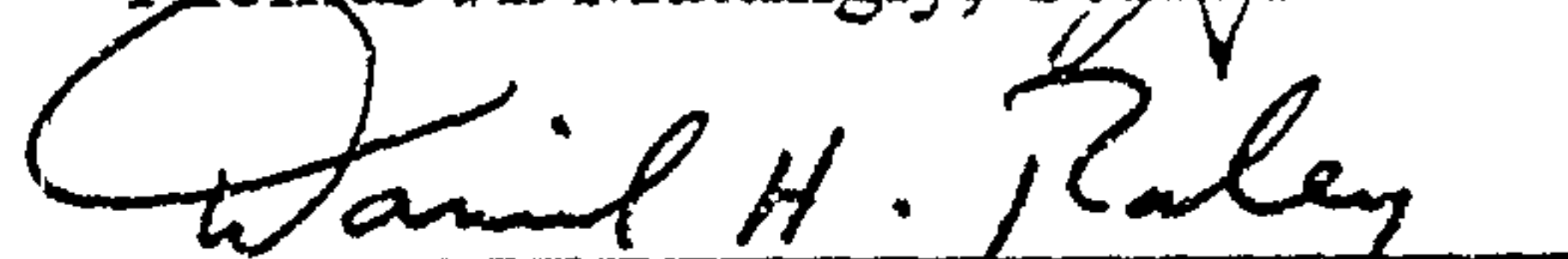
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner





Thomas A. Mattingly, Commissioner



Daniel H. Raley, Commissioner

ATTEST:

  
Mortimer L. Smedley  
Acting County Administrator

  
Steven E. Welkos  
Director of Finance



SCHEDULE A  
to RESOLUTION NO: 99-09

SUBJ: Public Facilities Bonds of 1993  
Asphalt Overlay  
Page 3 of 3

BOOK 0014 PAGE 0091

Description of Additional Projects Authorized to be  
Financed with the Proceeds of the County Commissioners  
of St. Mary's County Public Facilities Bonds of 1993.

Asphalt Overlay

\$1,100,000



RESOLUTION

WHEREAS, this resolution establishes a St. Mary's County Millennium Commission to recommend initiatives for celebrating the St. Mary's County's rich history and for planning for the future in conjunction with celebrations by local communities, the state and the nation in the Year 2000; and

WHEREAS, the millennium presents a unique opportunity for the nation, states, counties, cities and villages to celebrate their history and to proactively plan to better serve their respective citizens in the Year 2000 and beyond; and

WHEREAS, it is appropriate at the dawn of a new century to celebrate the achievements and growth of St. Mary's County and its citizens; and

WHEREAS, a task force of citizens from throughout this county would bring new ideas and different perspectives to a proactive plan for an appropriate celebration for the millennium.

NOW, THEREFORE, BE IT RESOLVED by the Board of Commissioners for St. Mary's County that there is created a St. Mary's County Millennium Commission consisting of 9 members, who shall serve without compensation, and whose duties will be to recommend and implement celebrations by St. Mary's County for the new millennium. The commission will be appointed by the board and reflect the diversity of the county. The chairperson shall be elected from among the commission members. The commission will provide a written report to the Board on a monthly basis or more often, if deemed appropriate, from the time of appointment. Meetings will be called at the request of the chair and open to the public.

ADOPTED THIS DATE: 3/16/99


EFFECTIVE THIS DATE: 3/16/99

RECORDING FEE 0.00  
TOTAL 0.00  
Res#5423 Rcr#433333  
EWA MAB BIK#1778  
Mar 18, 1999 02:02 PM

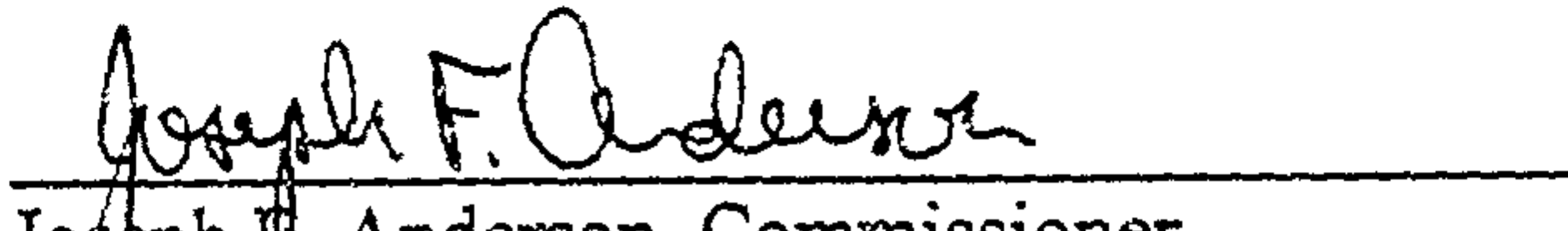
Sincerely,

BOARD OF COUNTY COMMISSIONERS  
ST. MARY'S COUNTY, MARYLAND

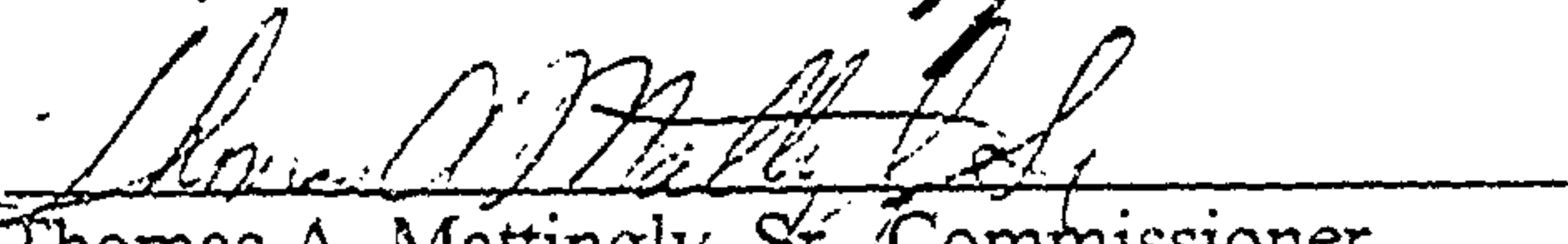
ATTEST:

  
Mortimer L. Smedley  
Acting County Administrator

  
Julie B. Randall, President

  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner



BOOK 0014 PAGE 0093

RECORDING FEE 8.00  
TOTAL 8.00  
Restored Recd 19990900  
CWA NO 91141168  
Apr 12, 1999 10:24 AMORDINANCE

WHEREAS, the St. Mary's County Planning Commission, in response to the requirements of the Annotated Code of Maryland, Article 66B, Sections 1.00 *et seq.*, as amended by the Maryland Economic Growth, Resource Protection and Planning Act of 1992, conducted community workshops and "visioning sessions" on February 4, 1993 and June 23, 1994 seeking public input for preparation of the St. Mary's County Comprehensive Plan Update; and

WHEREAS, as a result of these work sessions the St. Mary's County Planning Commission appointed a "community character" subcommittee, which reviewed the public comments received and reported these comments to the full commission; and

WHEREAS, a survey entitled "St. Mary's County Comprehensive Plan Survey" prepared by planning consultant Anton Nelessen in conjunction with the Department of Planning and Zoning (DPZ) staff was distributed to persons in attendance at four (4) community meetings, held on May 16, 1996 at Dynard Elementary School, on May 20, 1996 at the Hollywood Rescue Squad building, on May 30, 1996 at the Charlotte Hall Library, and on June 3, 1996 at Spring Ridge Middle School; and

WHEREAS, the above-referenced survey was also distributed to persons visiting the DPZ permits counter, and to persons attending presentations to civic and business groups by staff, from May 16, 1996 to November 1, 1996; and

WHEREAS, a total of seventy-eight (78) survey replies and comments were received by the Department of Planning & Zoning from June 1996 through November 1996 and the results compiled by DPZ staff for use by Planning Commission members in writing the comprehensive plan update; and

WHEREAS, the survey results and comments were also tabulated by the Planning Commission and DPZ staff on November 25, 1996 for inclusion in the comprehensive plan dated December 1996; and

WHEREAS, Planning Commission members and DPZ staff held workshops from November through December 1996 to review the survey results and comments and to finalize the December 12, 1996 draft document, which was then circulated for public review and comment; and

WHEREAS, the Planning Commission reviewed public comment on the December 1996 draft plan and met in work sessions from January 1997 to July 1997 to develop a second draft comprehensive plan; and

WHEREAS, a second draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," was prepared by the Planning Commission and dated July 11, 1997; and

WHEREAS, community meetings on the July 11, 1997 draft plan were held by the Planning Commission in Ridge on September 15, 1997, in Charlotte Hall on September 24, 1997 and in Leonardtown on September 29, 1997; and

WHEREAS, copies of the draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," dated July 11, 1997, were forwarded to the St. Mary's Board of County Commissioners, the County Attorney, and Planning Commission members on July 21, 1997 by interdepartmental mail; and

WHEREAS, copies of the draft comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," dated July 11, 1997, were forwarded to all adjoining planning jurisdictions and to all State and local agencies having responsibility for financing or constructing public improvements necessary to implement the plan, including Charles, Calvert, Somerset, and Dorchester, Maryland counties, and Northumberland and Westmoreland, Virginia counties, the State Highway Administration, the St. Mary's County Director of Finance, Department of Public Works, the Maryland Office of Planning, and through the Maryland Office of Planning clearinghouse review process, all other applicable State and county agencies on July 31, 1997, by regular mail and by interdepartmental mail; and

WHEREAS, during the 60-day period mandated by Article 66B, Section 3.07 of the Annotated Code of Maryland, the St. Mary's County Planning Commission received additional written comment from the Maryland Office of Planning, however no comments were received from the adjoining jurisdictions of the Maryland Eastern Shore or Virginia's Northern Neck; and

WHEREAS, a joint public hearing on the July 11, 1997 draft plan was scheduled and conducted by the Planning Commission and the Board of County Commissioners on October 14, 1997 at Leonardtown High School, a date of at least sixty (60) days after July 21, 1997 and July 31, 1997, the dates on which the draft plan was referred to adjoining planning jurisdictions and state and county agencies responsible for public improvements to implement the plan; and



WHEREAS, a notice of the time and place of the public hearing was given by publication in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on September 24, 1997 & October 1, 1997; and

WHEREAS, following the October 14, 1997 public hearing and in accordance with the custom and practice in St. Mary's County, additional written comment on the July 11, 1997 draft plan was accepted by the Planning Commission until October 24, 1997, concluding over four (4) years of public input on the future vision for St. Mary's County, Maryland; and

WHEREAS, following the public hearing, the Planning Commission conducted additional work sessions for purposes of considering such written and oral comments on November 21, 1997, December 1, 1997, December 5, 1997, and December 12, 1997, but at which work sessions no further public testimony was permitted or received; and

WHEREAS, the Planning Commission did, as a result of the public comments noted above and Board of County Commissioner direction, revise the plan as is summarized in its letter dated January 20, 1998 to the Board of County Commissioners, with attachments; and

WHEREAS, as required by Article 66B, Section 3.07 of the Annotated Code of Maryland, the Maryland Office of Planning's recommendations were received; and

WHEREAS, certain clarifications and revisions were made subsequent to and in response to public hearing comment and Board of County Commissioners direction regarding:

Page 4, Section I.1.4,	Update reference to Naval Air Station (NAS) dynamics
Page 5, Paragraph 4,	Add reference to Sotterley Mansion
Page 11, Paragraph 1,	Add reference to Tri-County Council infrastructure committee
Page 26, Section III.5.4,	Add "clustering. . ."
Page 27, Section III.6.4,	Add "business friendly regulatory environment. . ."
Page 32, Action 2,	Add "scenic corridors and rural residential zones"
Page 33, Action 4,	Add ". . . intersections. . ."
Page 35, Action 6,	Refer to Appendix 5 for explanation of TDR formulas rather than detail them here.
Page 36, Section IV.1.2.1.A.v and Action 8,	Clarify references to "sprawl" and "density"
Page 37, Action 10,	Clarify incentives to cluster development
Page 39, Action 15,	Remove reference to impact fees.
Page 39, Action 16,	Additional incentives for redevelopment
Page 40, Section IV.1.3.1.D.i,	Clarify restriction on RNC expansion
Page 41, Section IV.1.3.2.A and Actions 19, 20, 21,	Clarify or revise standards for landscaping (19), architecture (20), signs (21)
Page 41, Action 22,	Clarify stormwater management exemption for single family lots.
Page 72 & 73, Actions 23 and 24,	Clarify critical area and forest conservation provisions.
Page 78, Section IV.2.2.5 and Action 28,	Clarify slope thresholds in sensitive area section; include maps by reference
Page 79, Action 29,	Broaden consideration of historic districts
Page 81, New Action 31,	Add reference to CM zoning
Page 82, Action 33,	Add Mattapany Road to scenic roadway list
Page 88, Action 35,	Prompt study of sewerage needs at Compton; review MetComm Capital Improvements Program
Page 89, Action 36,	Prompt study of groundwater reserves to 2020
Page 90, Action 37	Clarify parking principles
Page 90, Section IV.3.1.2.B.i.a.i.	Provide for telecommunications use of road rights of way
Page 92, Action 38,	Add to 1.a) "service roads. . ."
Page 93, Action 39,	Include commercial developments for accommodating bicycles
Page 93, Section IV.3.1.2.B. ii.a.i)a)	Reference State Highway Administration sidewalk retrofit program
Page 101, Section IV.3.1.2.E.i.a.	Reference International Assoc. of Chiefs of Police standards
Page 104, Section IV.3.1.3.A.i; and Action 45	Clarify provisions regarding schools
Page 105, Action 46,	Clarify provisions regarding schools
Page 106, Section IV.3.1.3.B.i	Clarify provisions regarding libraries
Page 106, Action 48,	Clarify provisions regarding libraries
Page 106, Action 49,	Clarify provisions regarding visitors centers and satellite emergency services
Page 107, Action 50,	Do not limit swimming pool needs to 5 <sup>th</sup> District
Page 108, Action 51,	Clarify financing of public facilities
Page 109, Action 52,	Clarify evaluation of adequate facilities
Page 111, Action 53,	Clarify provisions regarding manufactured housing
Page 111, Section IV.4.1.1,	Clarify provisions regarding manufactured housing
Page 111, Action 54,	Clarify impact fees for accessory apartments
Page 119, Section IV.6.3.5,	Add access management per interjurisdictional coordination
Page 120, Section IV.6.4.3,	Include specific reference to "NAS" under interjurisdictional coordination



WHEREAS, the Planning Commission found that all such revisions made subsequent to the public hearing of October 14, 1997 are not substantial and are reasonably foreseeable from and within the confines of the notice published on September 24, 1997 and on October 1, 1997, and that no revisions were made that could not have been reasonably anticipated from such published notice; and

WHEREAS, the St. Mary's County Planning Commission thereafter prepared a final draft of the comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," Final Draft; and

WHEREAS, the St. Mary's County Planning Commission finds that the recommended final draft comprehensive plan does fulfill all statutory requirements of Article 66B of the Annotated Code of Maryland; and

WHEREAS, the recommended final draft plan does provide for the Planning Commission's desired future vision for St. Mary's County; and

WHEREAS, the St. Mary's County Planning Commission has certified the "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century" Final Draft, a copy of which is attached hereto as Exhibit "A," as its formal recommendation to the Board of County Commissioners; and

WHEREAS, on Monday, February 23, 1998, the St. Mary's County Planning Commission, by a vote of all members, at a public meeting properly called and held, with notice given, did endorse by a 4-3 vote and transmit to the Board of County Commissioners its recommended comprehensive plan for development and preservation of the jurisdiction, "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century" Final Draft; and

WHEREAS, on Tuesday, March 24, 1998, the Board of County Commissioners did remand, by a 3-2 vote, the Planning Commission's recommendation with instructions for review; and

WHEREAS, on Tuesday, January 12, 1999, the newly elected Board of County Commissioners did, by unanimous motion, rescind the prior remand and return to the standing Planning Commission recommendation and certified copy of the document "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," Final Draft, (January 1998); and

WHEREAS, the Board of County Commissioners hereby accepts the Planning Commission's recommended comprehensive plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," Final Draft (January 1998).

**SECTION ONE. NOW, THEREFORE, BE IT ORDAINED,** that the St. Mary's County Board of County Commissioners hereby adopts the Comprehensive Plan entitled "Quality of Life in St. Mary's County - A Strategy for the 21<sup>st</sup> Century," (January 1998), a copy of which is attached hereto as Exhibit A, including its subplans and maps, which consist of:

Subplans Incorporated by Reference

1. Land Preservation and Recreation; adopted February 1993 (Action Box 50).
2. Solid Waste; adopted April 20, 1995 (Action Box 41).
3. Transportation Plan; adopted 1985 (Action Box 38).
4. Comprehensive Water and Sewer Plan; adopted 1993 (Action Box 35).
5. Critical Area; included in current Zoning Ordinance (Action Box 23).
6. Emergency Services; adopted 1992 (Action Box 43).
7. Southern Maryland Heritage; to be adopted subsequent to the date of this Comprehensive land use plan (Action Box 31).
8. Rural Legacy; to be adopted subsequent to the date of this comprehensive Land use plan (Action Box 31).
9. Lexington Park Master Plan; (Action Box 1).
10. Forest Conservation; included in current zoning Ordinance (Action Box 24).

List of Maps

Election Districts  
Population Distribution  
Land Use Concept  
Lexington Park Development District  
Leonardtown Development District  
Charlotte Hall Town Center  
New Market Town Center  
Mechanicsville Town Center  
Hollywood Town Center  
Piney Point Town Center  
Callaway Village Center  
Chaptico Village Center



BOOK 0014 PAGE 0096

List of Maps (cont'd)

- Clements Village Center
- Loveville Village Center
- Ridge Village Center
- St. Inigoes Village Center
- Valley Lee Village Center
- Agricultural Overlay District
- Historical Sites Inventory 1997
- Community Facilities
- Transportation Plan 1997
- Transportation Plan 2020

**SECTION TWO. BE IT FURTHER ORDAINED**, that the October 25, 1988 Comprehensive Plan, as amended September 8, 1998, is hereby rescinded and replaced, in its entirety, by "Quality of Life in St. Mary's County - A Strategy of Life for the 21<sup>st</sup> Century," Final Draft (January 1998); and

**SECTION THREE. BE IT FURTHER ORDAINED**, that the Planning Commission, with staff and consultant assistance, shall begin preparation of the "Unified Land Development Code" to implement the new Comprehensive Plan; and

**SECTION FOUR. BE IT FURTHER ORDAINED**, that the "Action Items" contained in the Comprehensive Plan shall provide the general guidance for preparation of the required standards and regulations necessary to implement the requirements of Article 66B, Section 3.05(a), and Section 3.06(b), and additional public hearings shall be required prior to enactment of any of these provisions as ordinance or regulation; and

**SECTION FIVE. BE IT FURTHER ORDAINED**, that Section 48.7 of the current St. Mary's County Zoning Ordinance shall govern approval and validity of subdivision plats and site plans until the new Unified Land Development Code is adopted.

Date of Adoption: 4/6/99  
Effective Date: 4/6/99

**BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND**

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby P. Guazzo  
Shelby P. Guazzo, Commissioner

Thomas A. Mattingly Sr.  
Thomas A. Mattingly Sr., Commissioner

Daniel H. Raley  
Daniel H. Raley, Commissioner

Attest:

Mortimer L. Smedley  
Mortimer L. Smedley  
County Administrator

Ordinance Approved as to Legal Form and Sufficiency:

Douglas S. Durkin  
Douglas S. Durkin  
County Attorney  
4-6-99



BOOK 0014 PAGE 0097

Ordinance No. 299-04  
Subj: ZPUD #98-2151  
Esperanza Commercial Park  
(PUD-CP)

RECORDING FEE 8.88  
TOTAL 8.88  
Res#583 Rcpt#999999  
EMA MAB BIL#2578  
Apr 26 1999 10:09 am

ORDINANCE

WHEREAS, Application #98-2151 was duly filed with the Department of Planning & Zoning by Mark Dillow (Applicant) on or about November 18, 1998; and

WHEREAS, said application requests rezoning of approximately 16.1 acres from Low Density Residential (RL) to Planned Unit Development - Commercial Park (PUD-CP). The property is located at the northeast corner of MD Route 235 and Millstone Landing Road, also identified as Tax Map 43, Block 1, Parcel 528; and

WHEREAS, following TEC review, published notice, and notification of all property owners within 200 ft. of the subject property, the Planning conducted a public hearing on February 22, 1999, recommending approval subject to the specific stipulations and conditions; and

WHEREAS, following published notice and notification of all property owners within 200 ft. of the subject property, the Board of County Commissioners conducted a public hearing and received testimony on this application on April 6, 1999;

**SECTION ONE. NOW, THEREFORE, BE IT ORDAINED** that the Board of County Commissioners hereby **APPROVES** the application and Development Plan Report for the Esperanza Planned Unit Development Commercial Park (PUD-CP), ZPUD #98-2151, with all of its stipulations as conditions of approval, incorporated herein by reference as it set out in full.

**SECTION TWO. BE IT FURTHER ORDAINED** that the Board of County Commissioners hereby finds as fact the following:

1. This project, as contained in the Esperanza Commercial Park Development Plan Report dated January 25, 1999, with accompany maps and exhibits, meets all submission requirements for a Planned Unit Development.
2. The application fulfills the purposes and requirements of Section 38.5 of the Zoning Ordinance, including, but not limited to providing for the safety, convenience and amenity of the current and future residents of the neighborhood.
3. Specific requirements recommended by the Planning Commission for the proposed development are required as conditions of approval, in order to be compatible with and buffered from adjoining properties as appropriate to their setting.
4. The governing documents relating to the establishment of architectural and site development criteria and maintenance of dedicated open space will, upon approval, be sufficient and adequate for their intended purposes.
5. Applicable essential community facilities and services for the proposed development shall be reasonably accessible to the future users of the development, including improvements as provided as part of the Development Plan Report.
6. The dedication of land to be conveyed to the St. Mary's County Board of Education is necessary to meet local needs.
7. An analysis and specific finding of the adequacy of transportation, water supply and sewerage disposal, stormwater management, and the suppression of fire hazards that may be associated with the development shall be required prior to any subsequent requests for subdivision plat approval and/or site development plan approval from the Planning Commission.
8. The market analysis and buildout schedule are consistent with the economic demands of the County for the project development period.

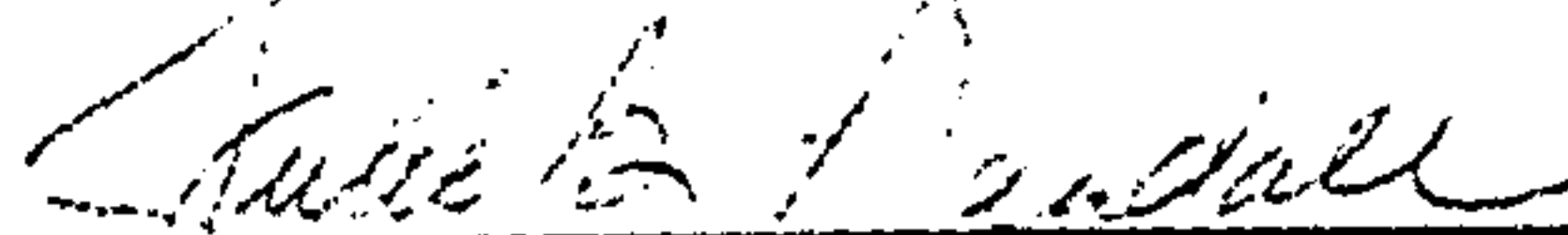


**SECTION THREE: BE IT FURTHER ORDAINED** that this approval incorporates the following specific provisions as conditions of approval:

- (1) Applicant shall donate 8.5 acres of the opens-ace portion of this site to the St. Mary's County Board of Education for environmental studies by the Esperanza Middle School, within six (6) months of approval.
- (2) A fence shall be provided between the storage facility and the education use prior to a release of a Certificate of Use & Occupancy for the storage facility.
- (3) The storage expansion shall be totally screened.


Date of Adoption: 4/20/99

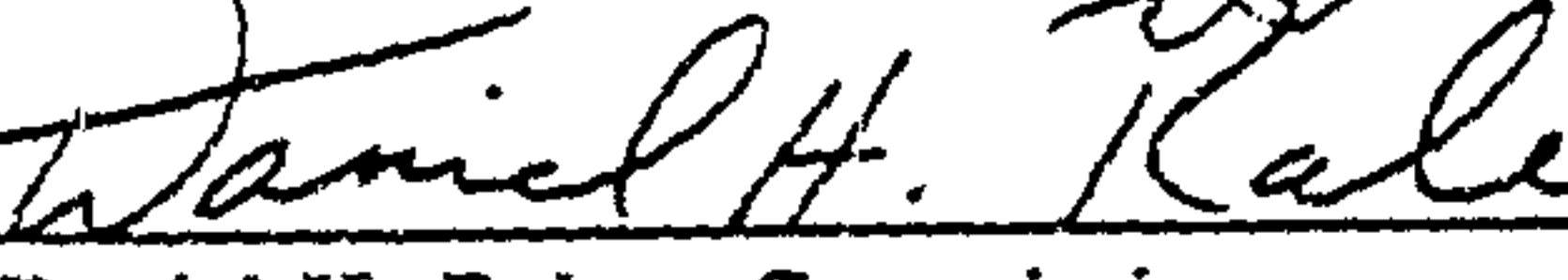
**BOARD OF COUNTY COMMISSIONERS  
OF ST. MARY'S COUNTY, MARYLAND**

  
Julie B. Randall, President

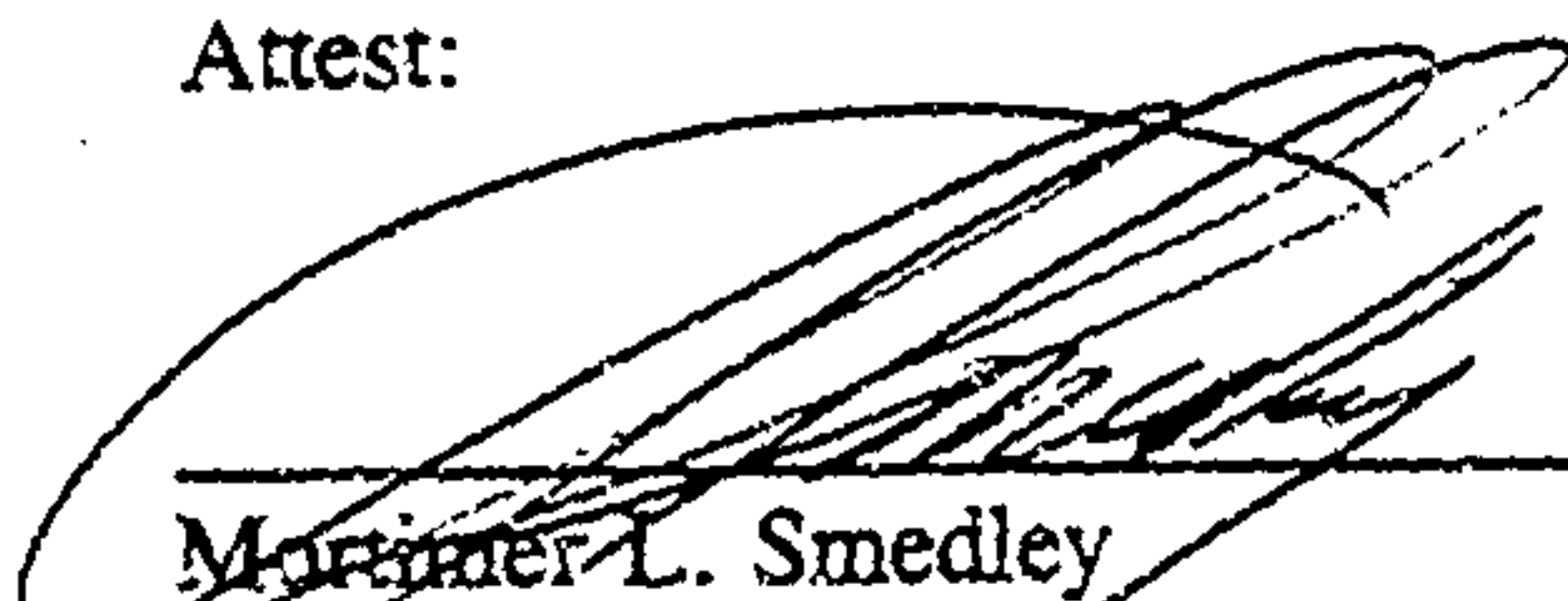
  
Joseph F. Anderson, Commissioner

  
Shelby P. Guazzo, Commissioner

  
Thomas A. Mattingly, Sr., Commissioner

  
Daniel H. Raley, Commissioner

Attest:

  
Mortimer L. Smedley  
County Administrator



Subject: Upgrading, Realigning and Renaming of an existing private road known as Cheryl Lee Lane and opening as a Public County Road named Colby Drive

**ORDINANCE**

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland is authorized pursuant to the Annotated Code of Maryland, Article 25, §135 and §136 to open, alter or close certain private roads and create and establish public county roads within St. Mary's County in accordance with the Code of Public Local Laws of Maryland, Article 19, § 109-2B;

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland, following the procedures set forth in the Annotated Code of Maryland, Article 25, §135, §136 and the Code of Public Local Laws of Maryland, Article 19, § 109-2B has been approached by the developer of Pembroke Subdivision, Pembroke, L.L.C., and has been requested to allow the developer to upgrade, realign and rename as a public county road, at the developer's sole cost and expense, a 50 foot private right-of-way known as Cheryl Lee Lane, which will be known as Colby Drive for a distance of approximately 2,772 feet as depicted on the attached Exhibit "A".

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland conducted a public hearing on the request to upgrade, realign and rename a 50 foot private right-of-way known as Cheryl Lee Lane as a public county road on April 20, 1999 following due notice of such hearing as advertised for two consecutive weeks in a local newspaper on April 9, 1999 and April 16, 1999 and posted in three (3) public places within the same election district thirty (30) days prior to the public hearing.

WHEREAS, after the consideration of all public comments, information and documentation pertaining to the upgrading, realigning and renaming of the aforesaid private right-of-way to a public county road, the Board of County Commissioners of St. Mary's County has determined that the public interest will best be served by granting such action.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners of St. Mary's County, Maryland that the 50 foot private right-of-way known as Cheryl Lee Lane shall be closed as a private road, and will be upgraded, realigned, renamed and reopened, at the sole cost and expense of the developer of Pembroke Subdivision, Pembroke, L.L.C., as a public county road to be known as Colby Drive for a distance of approximately 2,772 feet.

This Ordinance shall take effect immediately but the road shall not be accepted into the County road system for maintenance until so accepted by a separate resolution of the Board of County Commissioners.

Approved: 5/11/99

BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND

Julie B. Randall  
Julie B. Randall, President

Joseph F. Anderson  
Joseph F. Anderson, Commissioner

Shelby Guazzo  
Shelby Guazzo, Commissioner

Thomas A. Mattingly, Sr.  
Thomas A. Mattingly, Sr., Commissioner

Daniel H. Railey  
Daniel H. Railey, Commissioner

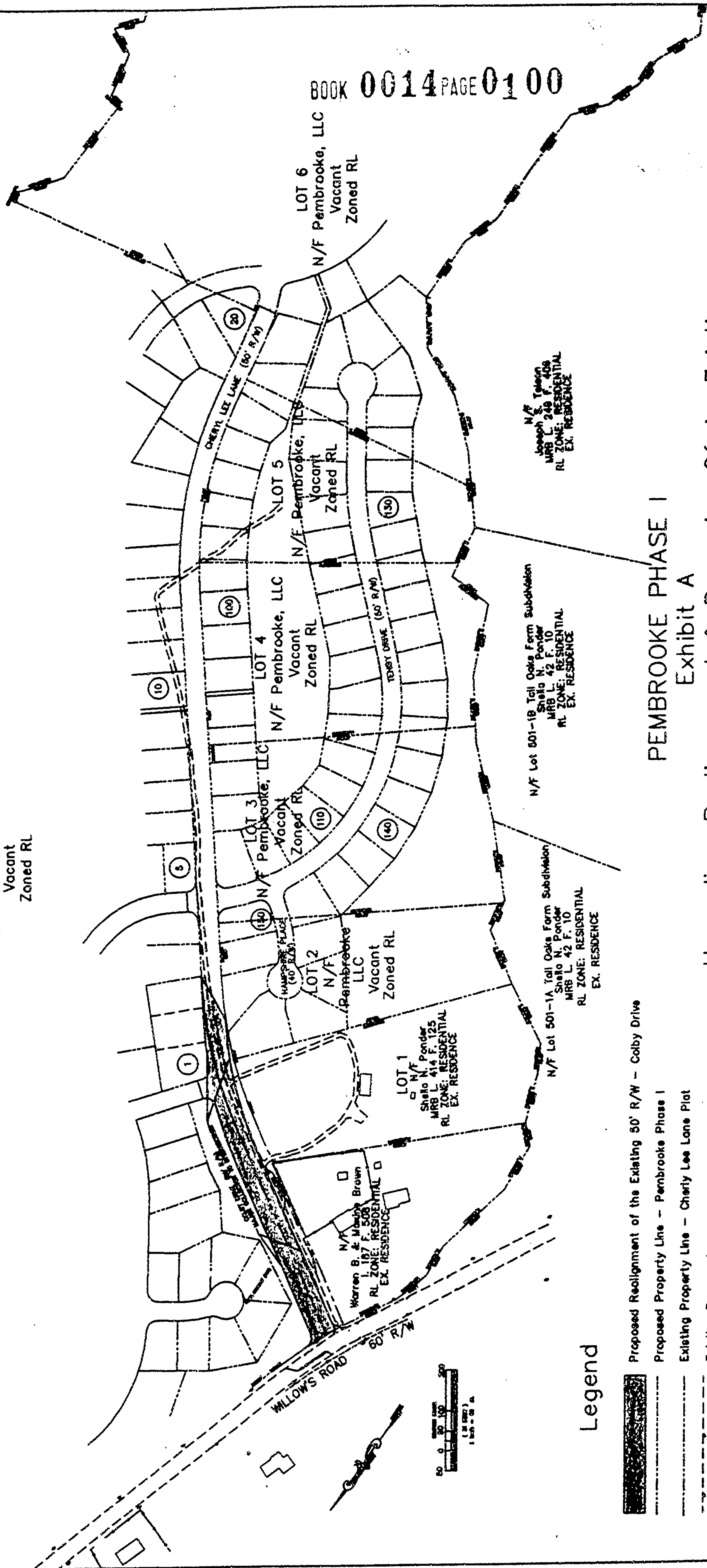
RECORDING FEE 8.00  
TOTAL 8.00  
Res#5783 Rcpt#999999  
EMA LP BIL#1361  
May 21, 1999 09:17 am

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:

John Mattingly 4-28-99  
County Attorney



Residue  
N/F Pembroke, LLC  
Vacant  
Zoned RL



- Legend**
- Proposed Realignment of the Existing 50' R/W - Colby Drive
  - Proposed Property Line - Pembroke Phase I
  - Existing Property Line - Cheryll Lee Lane Plat
  - Existing Pavement
  - Existing Structure
  - Existing Gravel Drive
  - Proposed Lot Number
  - Existing Lot Number

**PEMBROKE PHASE I**  
Exhibit A

Upgrading, Realignment & Renaming Of An Existing  
Private Road Known As Cheryll Lee Lane & Opening  
As A Public County Road Known as Colby Drive

\*This plan is not a boundary survey  
March 28, 1989  
LDG Contract #989000



BOOK 0014 PAGE 0101

ORDINANCE NO. 99-06

Subject: Abandonment of a Portion of  
Camp Brown Road  
(County Route 30407)

**ORDINANCE**

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland is authorized to open, alter or close certain public roads within St. Mary's County, Maryland, pursuant to Article 25, §135, §136 of the Annotated Code of Maryland and in accordance with the Code of Public Local Laws of Maryland, Article 19, § 109-2A.

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland, following the procedures set forth in Article 25, §135 & §136, is proposing that approximately three hundred ten feet (310') of a portion of Camp Brown Road, located in the First (1st) Election District, be abandoned, from the road centerline station 25+28.89 westerly of the intersection with Md. Route 5 to the end of paved road at centerline station 28+38.29 at Camp Ernest W. Brown as shown on the attached Exhibit "A".

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland conducted a public hearing on the request to abandon the aforesaid public road on April 20, 1999 following due notice of such hearing as advertised for two consecutive weeks in a local newspaper on April 9, 1999 and April 16, 1999 and posted in three (3) public places within the same election district thirty (30) days prior to the public hearing.

WHEREAS, after the consideration of all public comments, information and documentation pertaining to the abandonment of the aforesaid public road, portion of County Route 30407, located in the First (1st) Election District, the Board of County Commissioners of St. Mary's County has determined that the public interest will best be served by granting such action.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners of St. Mary's County, Maryland that the aforesaid three hundred ten feet (310') of a portion of Camp Brown Road, from the road centerline station 25+28.89 westerly of the intersection with Md. Route 5 to the end of paved road at centerline station 28+38.29 at Camp Ernest W. Brown is hereby abandoned. The Board's interest in the abandoned right-of-way, from the end of public road maintenance (sta. 25+28.89) to the end of recorded right-of-way (sta. 33+48.00), will be granted to the Metropolitan Police Boy's and Girl's Club of the District of Columbia whom surrounds the said right-of-way at such time a legal transfer of property (recording of subdivision plat and deed) is prepared by the Metropolitan Police Boy's and Girl's Club of the District of Columbia and executed by the Board of County Commissioners of St. Mary's County.

BOARD OF COUNTY COMMISSIONERS OF  
ST. MARY'S COUNTY, MARYLAND

*Approved: 5/11/99*

*Julie B. Randall*  
Julie B. Randall, President

*Joseph F. Anderson*  
Joseph F. Anderson, Commissioner

*Shelby Guazzo*  
Shelby Guazzo, Commissioner

*Thomas A. Mattingly, Sr.*  
Thomas A. Mattingly, Sr., Commissioner

*Daniel H. Raley*  
Daniel H. Raley, Commissioner

RECORDING FEE 8.00  
TOTAL 8.00  
Res#13423 Acct#999999  
EWA LP BIK#1961  
May 21, 1999 09:18 AM

APPROVED AS TO LEGAL  
FORM AND SUFFICIENCY:

*J. M. [Signature]* 4.19.99  
County Attorney



MD.

RTE.

5

BOOK 0014 PAGE 0102

NOTE: PLANIMETRIC AND TAX MAP INFO. SHOWN  
HEREON IS FOR PRESENTATION USE ONLY.  
THIS EXHIBIT DOES NOT REPRESENT A  
BOUNDARY SURVEY BY THIS DEPARTMENT.

N/F  
JOHN E. BEAVERS, JR.  
MRB 125-44

CAMP BROWN ROAD RIGHT-OF-WAY DEED  
WAS RECORDED IN THE LAND RECORDS  
AT LIBER CBG 20, FOLIO 249.

40' R/W

BROWN ROAD

(COUNTY ROUTE 30407)

CAMP

END OF PUBLIC ROAD MAINTENANCE  
BEGIN ABANDONMENT  
CENTERLINE STA. 25+28.89

END ABANDONMENT  
CENTERLINE STA. 28+38.29

END OF RIGHT-OF-WAY  
CENTERLINE STA. 33+48.00

CAMP ERNEST W. BROWN

METROPOLITAN POLICE BOYS CLUB  
JMM 9-500

N/F  
FRANK J. RALEY, JR.  
EWA 659-482

ABANDONMENT AREA (310 L.F.)

PERMANENT EASEMENT FOR TURNAROUND

30'x50' PERMANENT EASEMENT  
FOR TURNAROUND

EXHIBIT 'A'

# ABANDONMENT OF A PORTION OF CAMP BROWN ROAD (COUNTY ROUTE 30407)

DATE: APRIL 20, 1999

SCALE: 1" = 300'

BY: ST. MARY'S COUNTY DEPT. OF PUBLIC WORKS