

BOOK 0017 PAGE 0001

Resolution No. 00- 23

SUBJECT: The Appeal of the denial of Concept Site Plan Amendment of the First Colony Planned Unit Development finding the Proposed Amendment constitutes a "Major Change"

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

In the Matter of: The Appeal of the decision of the St. Mary's County Planning Commission dated March 13, 2000 denying Concept Site Plan Amendment approval of the First Colony Development Plan upon a finding that the requested change constitutes a "Major Change" as defined by the Zoning Ordinance and the approved and adopted Development Plan for First Colony.

RECORDING FEE 0.00
TOTAL 0.00
Res#0423 Ser#1999999
EVA TLC Bk#1369
Sep 21, 2000 09:22

RECITALS

Whereas, by Ordinance Z-98-03, dated June 9, 1998, the Board of County Commissioners for St. Mary's County, Maryland, (the "County Commissioners"), upon recommendation of the St. Mary's County Planning Commission, (the "Planning Commission"), and upon the completion of a public hearing, approved and adopted the First Colony Planned Unit Development Plan, (the "Development Plan"), as pertains to that property; and

Whereas, by application dated April 6, 2000, the Owner/Appellant, Trammel Crow Company, sought Concept Site Development Plan amendment approval to amend the previous approval for Parcel 3-A pursuant to the "Minor Change," administrative modification process, set forth at First Colony Planned Unit Development Plan, Section I.E.5.a, pg. 13; and

Whereas, the Planning Commission heard that request from the Owner for Concept Site Development Plan amendment on March 13, 2000, identified as CDSP #00-130-00018; and

Whereas, due to the legislative nature of the approved Planned Unit Development Ordinance for First Colony, a change to that Ordinance or the documents incorporated therein, that "substantially alters the concept or intent of First Colony," requires a legislative, as opposed to an administrative, amendment to the approved Planned Unit Development Ordinance; and

Whereas, on motion and unanimous vote of the Planning Commission on March 13, 2000, the request of Owner/Appellant, Trammel Crow Company, was DENIED by the Planning Commission, finding, pursuant to Section I.E.5.b, of the First Colony Planned Unit Development Plan, that "the requested change substantially alters the concept and constitutes a major change of the final governing PUD Agreements or covenants." (Minutes of the St. Mary's County Planning Commission, March 13, 2000, p.11, Appellant's Exhibit 8, Appellee's Exhibit 1); and

Whereas, an appeal from that decision was noted to the County Commissioners by letter dated April 5, 2000 and Notice of Appeal dated April 6, 2000 from Wilkes, Artis, Hedrick & Lane, Chtd. and Stephen J. Braun, attorney to Trammel Crow Company, (Appellant's

Exhibit 11), within the thirty (30) day statute of limitations set forth at Section 51.4(3) of the St. Mary's County Zoning Ordinance (1994); and

Whereas, the threshold question on appeal is whether the Planning Commission correctly found the requested change may not be effectuated through an administrative amendment to the PUD legislation, but, rather, the requested change is a "Major Change," which requires legislative action to become effective; and

Whereas, the Owner/Appellant, Trammel Crow Company, presented evidence of publication of public notice of this appeal in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on June 23, 2000 and June 28, 2000, and direct mailing to adjoining property owners, (Appellant's Exhibits 12 and 13); and

Whereas, the County Commissioners heard the appeal, as noted by Appellant's letter of April 5, 2000, at an open session of the County Commissioners on July 11, 2000 using a procedure for the submission of evidence and oral argument agreed upon by counsel to both parties;

Whereas, after consideration of the evidence and testimony presented at the hearing of July 11, 2000, and those documents constituting the official record of that Hearing, the following findings and decision of the County Commissioners is noted:

FINDINGS

Now therefore, the Board of County Commissioners for St. Mary's County, Maryland makes the following findings:

1. The publication of Notice as presented by Owner/Applicant is sufficient to meet the requirements of Section 3(r) of Article 25 of the Annotated Code of Maryland; and
2. An approved PUD may "be developed only according to the approved final [Development Plan] and all supporting data." St. Mary's County Zoning Ordinance, Section 38.5.4.b, pg. 181 (1994); (See also, Development Plan for First Colony Planned Unit Development, Section I.E.5, pg. 13, Appellant's Exhibit 4, Appellee's Exhibit 11); and
3. The County Commissioners, by adoption within a legislative enactment, Ordinance Z-98-03, approved the final Development Plan of First Colony; and
4. As defined by the Development Plan, a "Major Change" is a change ". . . which substantially alter the concept or intent of First Colony . . ." Development Plan for First Colony Planned Unit Development, Section I.E.5.b, pg. 13, (Appellant's Exhibit 4); and
5. The amendment of a Planned Unit Development for which a change alters the concept or intent of the adopted, legislative Ordinance, a "Major Change," must be addressed legislatively since an administrative act may not properly alter the concept or intent of a legislative act; and
6. The approved Planned Unit Development Ordinance for First Colony, as approved by Ordinance Z-98-03, dated June 9, 1998, incorporated by

reference and relied upon the information contained in the following: (1) the final Development Plan, entitled "First Colony, A Planned Unit Development," dated November 1996; (2) a "Market Analysis, Faison Retail First Colony PUD" dated June 4, 1997, (the "Market Analysis"); and (3) testimony and other evidence entered into the record during the hearings considering the adoption of that Ordinance, (Appellant's Exhibit 2, Appellee's Exhibit 8); and

7. The aforementioned documents, so incorporated into the Planned Unit Development Ordinance for First Colony and the approved Development Plan for First Colony by reference, evidence that an entertainment component is a key and integral part of the Ordinance and the Development Plan; by way of example, the approved Development Plan states that "[r]esidential areas have been placed in close proximity to a wide variety of work places, shopping, eating and *entertainment activities*." First Colony Planned Unit Development, Section III.A, pg. 28, (Appellant's Exhibit 4), (emphasis added); and further references to an entertainment component are found in the incorporated Market Analysis, (Appellee's Exhibit 7), which opines regarding the economic viability and benefit to St. Mary's County for "Theaters" as part of the approved development; the Conceptual Site Plan, (Appellant's Exhibit 5), which identifies the land at issue in this appeal, Parcel 3-A, as a "Theater;" and a Trip Analysis report, presented by the Owner at the public hearings regarding the Development Plan, which calculates the traffic loading on County infrastructure based upon a "Movie Theater with Matinee" Use category, (Appellee's Exhibit 10); and
8. That Mr. Szlendak, Owner's representative during the time of the initial consideration of the Development Plan, preceding the legislative adoption of the Planned Unit Development Ordinance for First Colony, included representations that "[t]he northwest commercial section, heading toward Route 4, will house a 'state-of-the-art' multiplex theatre, capable of expanding as the market grows." Minutes of the St. Mary's County Planning Commission, April 14, 1997, p.53, (Appellant's Exhibit 8, Appellee's Exhibit 5); and
9. That the development of that Parcel 3-A as a movie theater was used in the Market Analysis calculating the viability of the Planned Unit Development as a whole and the potential economic benefit to St. Mary's County from tax revenue derived from the operation of a movie theater, and that a change from that proposed use will alter the anticipated benefit to the County, as set forth in the Market Analysis, (Appellee's Exhibit 7); and
10. That the change requested by Appellant could alter the design standards of roads considered in approving the First Colony Planned Unit Development Ordinance, depending upon the recalculation of traffic trip generations; and
11. That Supplement I to the Development Plan, as presented by Appellant at the hearing of this appeal, does not contradict these findings, which are supported by the approved legislative Ordinance and the documents referenced therein; and
12. As such, the change requested by the Appellant substantially alters the concept or intent of the First Colony Development Plan, and, therefore,

constitutes a "Major Change," as defined by the approved Development Plan, and, if approved, would require a legislative change to the Development Plan through the process set forth therein; and

- 13. Finally, the change requested by the Appellant also represents a change of use from the approved Development Plan, and, therefore, constitutes a "Major Change," as defined by the approved Development Plan, and, if approved, require a legislative change to the Development Plan through the process set forth therein.

DECISION

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND THAT, based upon the Findings set forth above, and the information contained in the official record of this appeal, the Appeal of CDSP #00-130-00018 is **DENIED**, and, therefore, that the findings and decision of the St. Mary's County Planning Commission regarding case CDSP #00-130-00018 are hereby **AFFIRMED**.

Resolved this ___ day of _____ 2000.

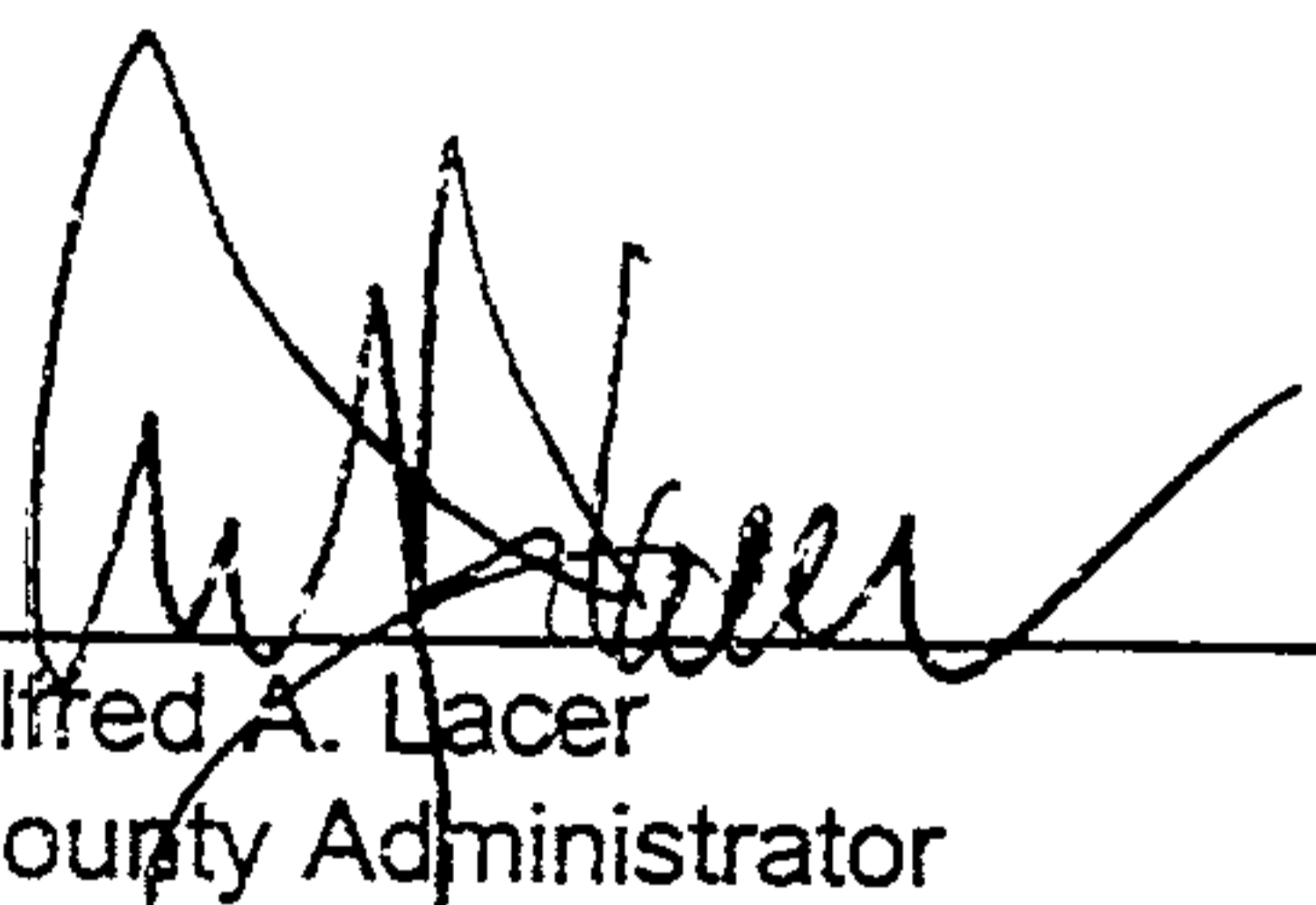
THOSE VOTING AYE: _____

THOSE VOTING NAY: _____

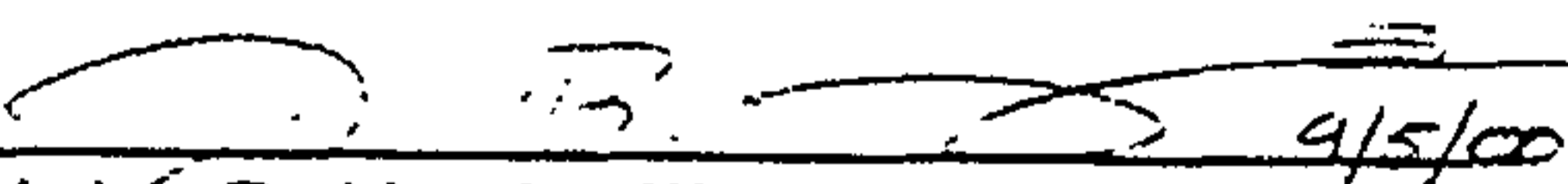
THOSE ABSENT: _____

(SEAL)


ATTEST:

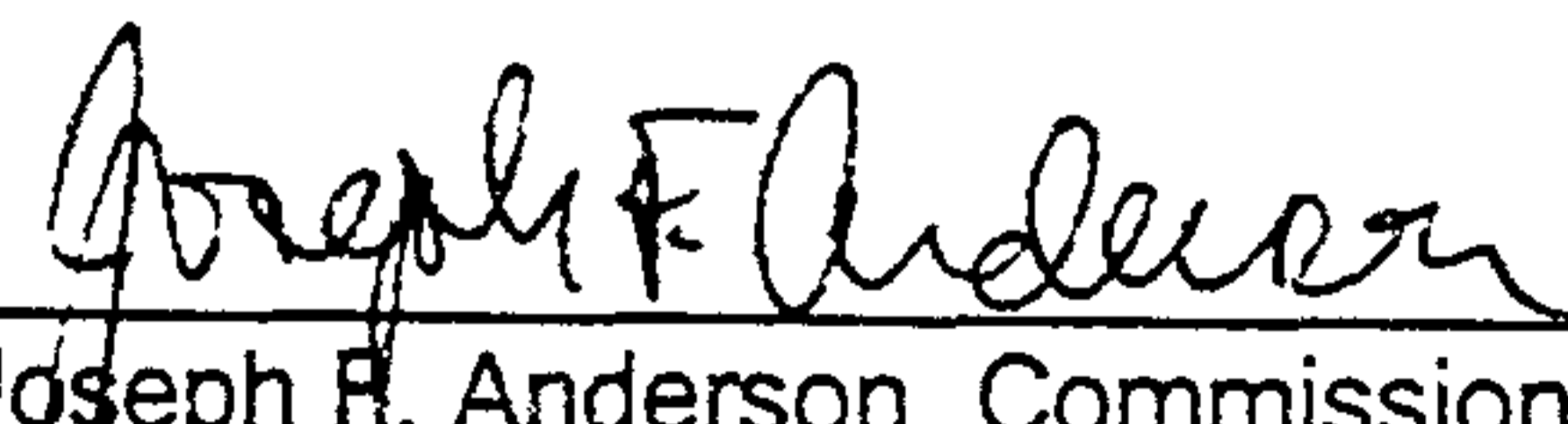

 Alfred A. Lacer
 County Administrator

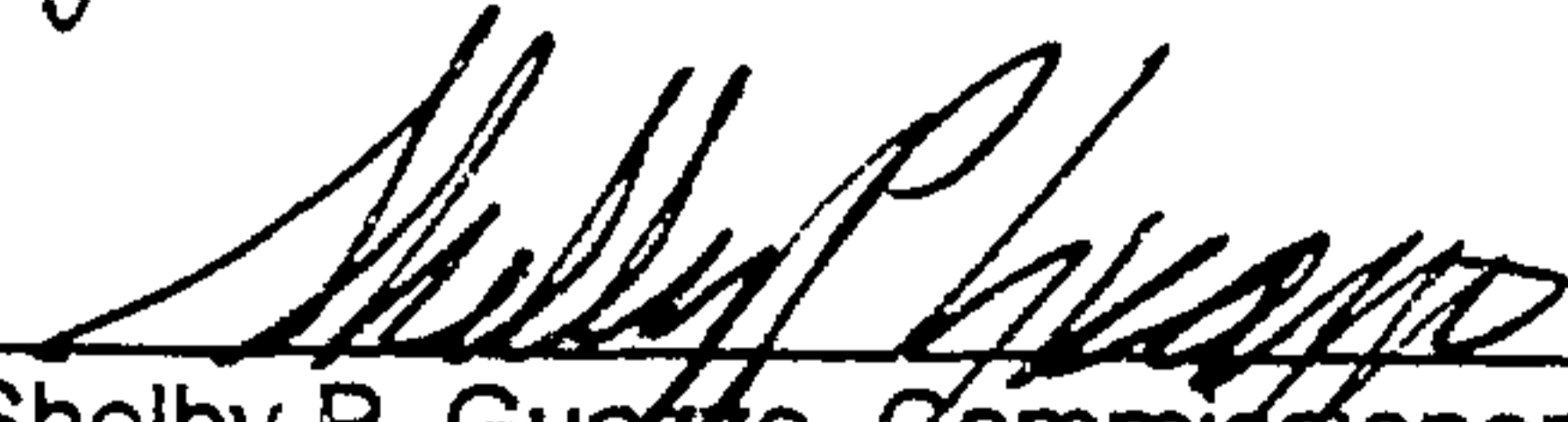
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



 John B. Norris, III,
 Assistant County Attorney

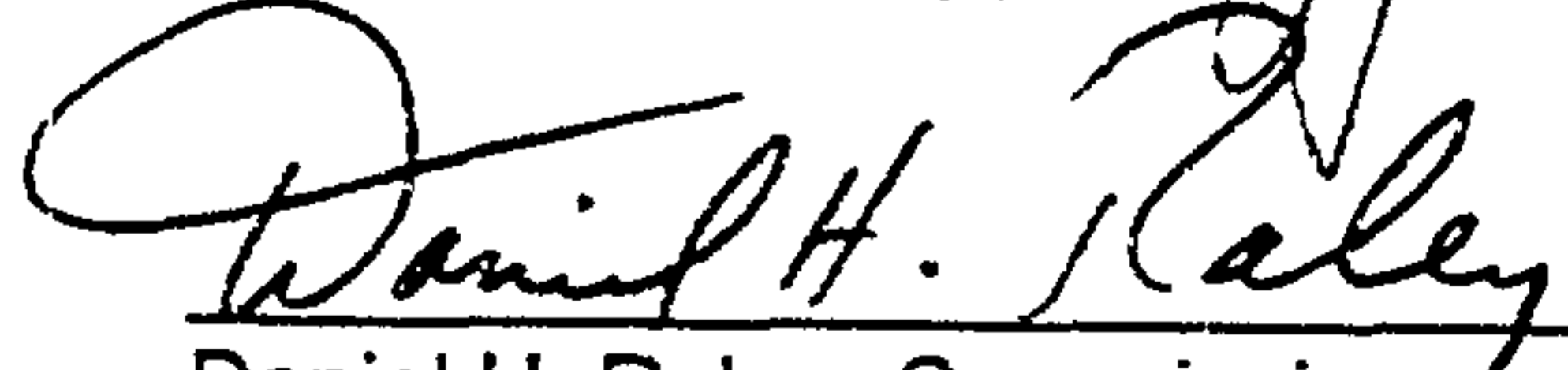
BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


 Julie B. Randall, President


 Joseph R. Anderson, Commissioner


 Shelby P. Guazzo, Commissioner


 Thomas A. Mattingly, Sr., Commissioner


 Daniel H. Raley, Commissioner

SUBJ: RECOMMITMENT TO THE 1984 PATUXENT RIVER POLICY PLAN AND ADOPTION OF THE 1997 ADDENDUM TO THE POLICY PLAN

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

A RESOLUTION EXPRESSING THE COMMITMENT OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY TO THE IMPLEMENTATION OF THE PATUXENT RIVER POLICY PLAN AND APPROVING THE 1997 ADDENDUM TO THE PATUXENT RIVER POLICY PLAN

WHEREAS, the population within the Patuxent Watershed has increased significantly resulting in the loss of forest cover, agricultural land and open space, with a corresponding increase in impervious surfaces causing nutrient and sediment pollution of the river; and

WHEREAS, as a result of the declining condition of the river, recreation and recreational resources are less productive; and

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland has worked to improve the quality of water in the Patuxent River; and

WHEREAS, the 1980 Patuxent River Watershed Act required the Department of State Planning to prepare a Patuxent River Policy Plan to be submitted for approval by seven (7) counties in the Patuxent River watershed; and

WHEREAS, St. Mary's County, the other six counties in the Patuxent River watershed and the State of Maryland adopted the Patuxent River Policy Plan in 1984; and

WHEREAS, the Patuxent River Commission's legislation provides for updating the Plan via the amendment process; and

WHEREAS, in November 1997, the Patuxent River Commission, after working closely with County officials, adopted an addendum to the 1984 Patuxent River Policy Plan for the purpose of updating the Plan; and

WHEREAS, this amended Patuxent River Policy Plan, upon the approval of the Maryland General Assembly, and at least five (5) counties of the Patuxent River watershed, is to serve as a policy guide for state agencies and local governments in carrying out programs in the Patuxent River watershed;

NOW THEREFORE BE IT RESOLVED, that the Board of County Commissioners of St. Mary's County, Maryland hereby reaffirms its commitment to the implementation of the Patuxent River Policy Plan and approves the 1997 Addendum to the Patuxent River Policy Plan.

DATE OF ADOPTION: 9/12/00
EFFECTIVE THIS DATE: 9/12/00

RECORDING FEE 8.00
TOTAL 8.00
Res#5483 Rcr#4999999
EWA TLC BIL#1369
Sep 21, 2000 09:22 am

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

ATTEST:
Alfred A. Lacer, County Administrator

Julie B. Randall, President

Joseph F. Anderson, Commissioner

Shelby P. Guazzo, Commissioner

Approved as to Form and Legal Sufficiency:
John B. Norris, III, Assistant County Attorney

Thomas A. Mattingly, Sr., Commissioner

Daniel H. Raley, Commissioner

Subject: Retirement Plan - St. Mary's
County Sheriff's Office

ORDINANCE

WHEREAS, Article 25, Section 3(g-3) of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners for St. Mary's County to adopt a separate plan of pension benefits or supplement existing plans for the Sheriff, deputy sheriffs and correctional guards employed by the County; and

WHEREAS, a separate pension plan for the Sheriff, deputy sheriffs and correctional officers was adopted by the Board of County Commissioners effective July 1, 1986 (the "Plan"); and

WHEREAS, the County retained outside counsel and advisers to amend and restate the Plan and to make recommendations concerning changes to the plan to enhance the benefits provided under the Plan and to allow the Plan to continue to qualify for favorable tax treatment under federal tax laws; and

WHEREAS, said outside counsel and advisers have met on numerous occasions with representatives of the Office of Human Resources of the County and the Board of Trustees appointed to administer the Plan on behalf of the covered employees to discuss the required and recommended revisions; and

WHEREAS, by the authority of the Board of County Commissioners for St. Mary's County, notice of a public hearing was published in The Enterprise, a newspaper of general circulation in St. Mary's County, on July 14, 2000 and July 19, 2000 in accordance with the statutory provisions Section 3(r) of Article 25 of the Annotated Code of Maryland; and

WHEREAS, the Board of County Commissioners for St. Mary's County held a public hearing, as advertised and in accordance with applicable statutory provisions on July 25, 2000; and

WHEREAS, the Board of County Commissioners for St. Mary's County has carefully reviewed the proposed amendment and restatement of the Plan and the recommendations of the County Departments and the comments and concerns of the public; and

WHEREAS, the Board of County Commissioners for St. Mary's County believes it to be in the best interest of County citizens to adopt the Plan.

NOW, THEREFORE, BE IT ORDAINED, By the Board of County Commissioners for St. Mary's County, Maryland, that the St. Mary's County Sheriff's Office Retirement Plan, as amended and restated, is hereby adopted

AND IT IS FURTHER ORDAINED, that this Ordinance shall take effect OCTOBER 1, 2000.

Those voting Aye: RANDALL, ANDERSON, GUAZZO, MATTINGLY, RALEY

Those voting Nay: _____

Those Absent: _____

ADOPTED: 9/5/2000

EFFECTIVE DATE: 10/1/2000

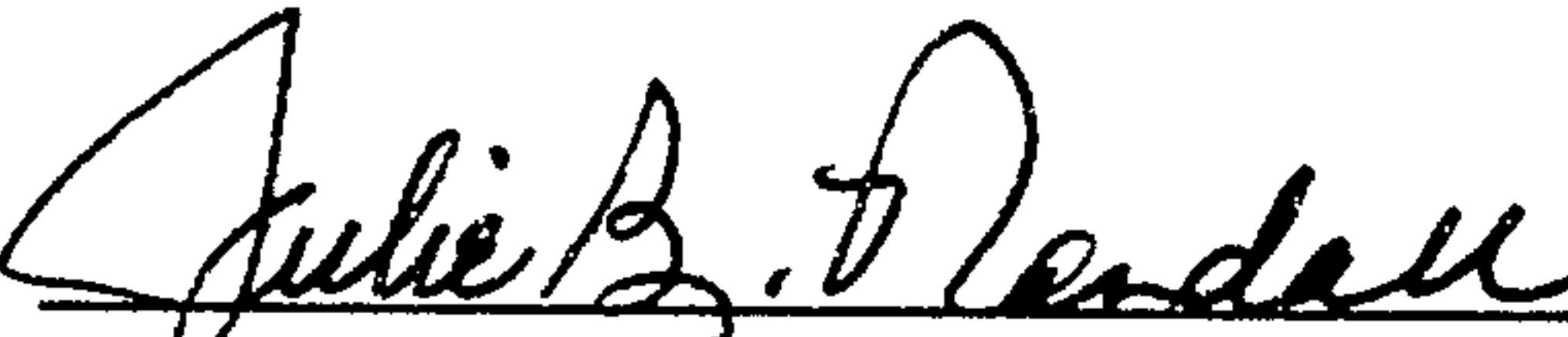
RECORDING FEE 8.00
TOTAL 8.00
Res#SM23 Rec#4999999
EWA TLC BIK#1369
Sep 21, 2000 09:23 am

ATTEST:

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



Alfred A. Tacer, County Administrator

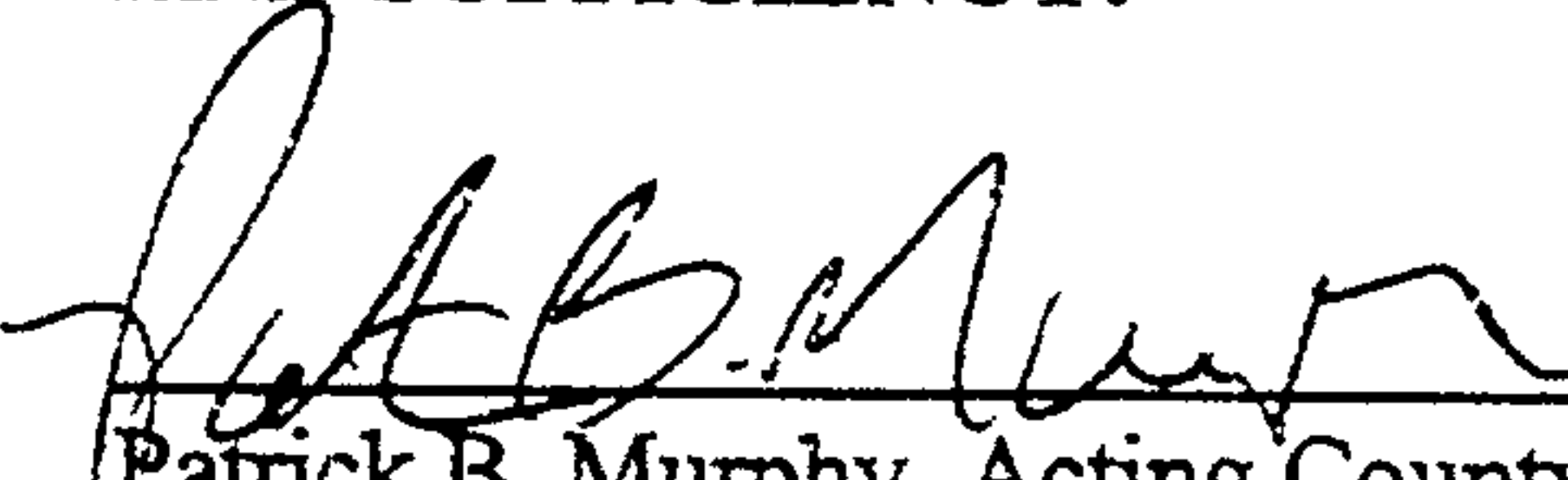


Julie B. Randall, President

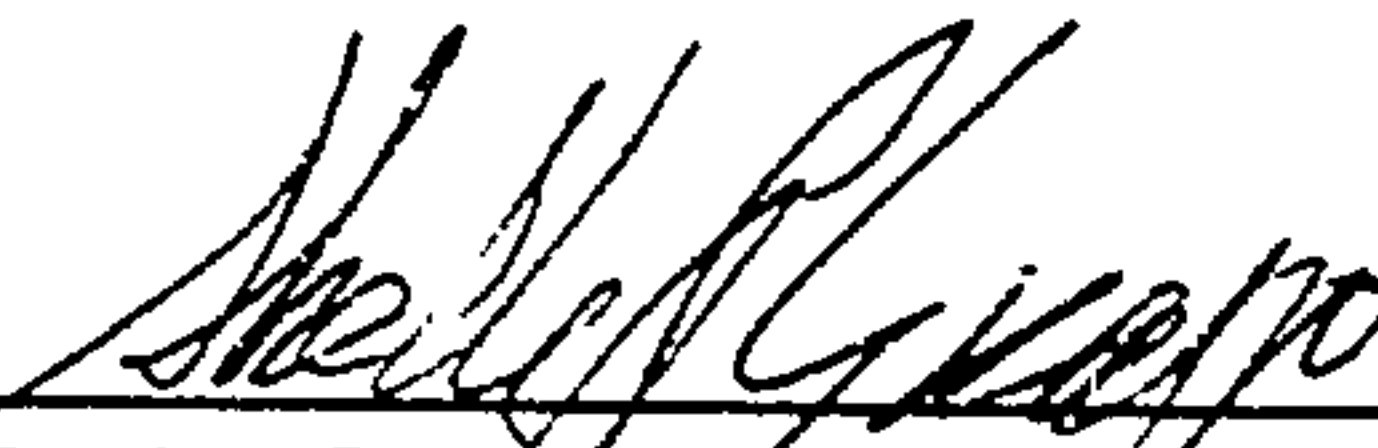
APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:



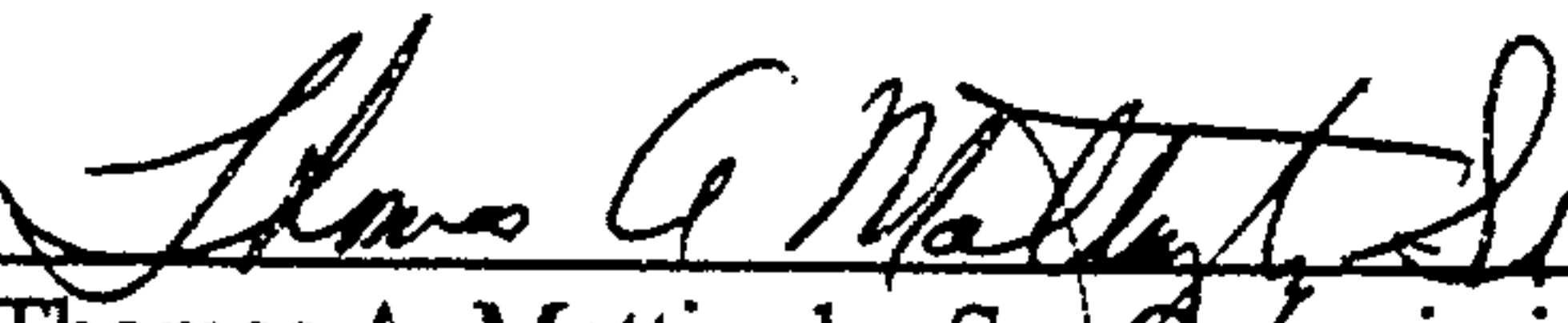
Joseph F. Anderson, Commissioner



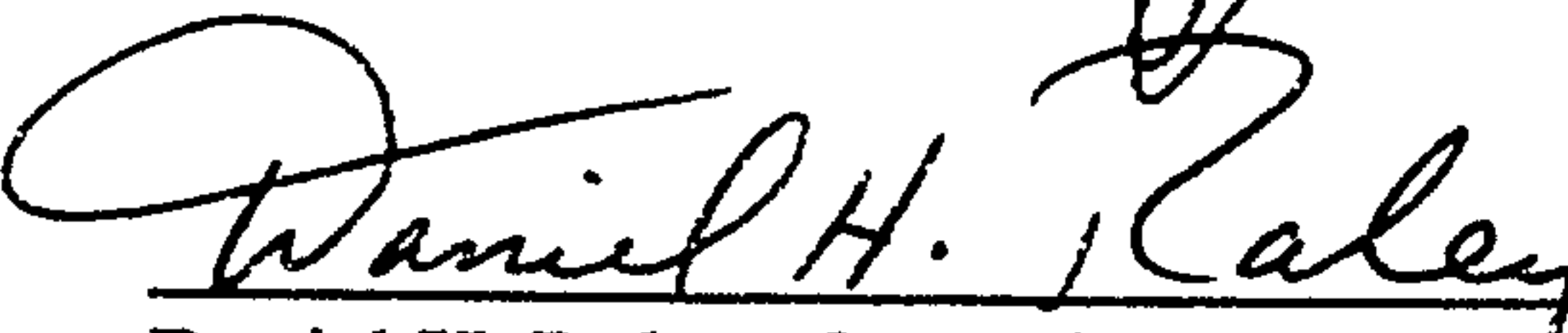
Patrick B. Murphy, Acting County
Attorney



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

NO: 2000-27

SUBJ: **FY 2001 Supplemental Appropriation
Office on Aging**

BOOK **0017** PAGE **0208**

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 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 \$10,105.00 are available in State grant funds from the Maryland Department of Aging to the St. Mary's County Office on Aging for the purpose of reimbursing St. Mary's County for costs incurred in the administration of the Medicaid Waiver for home and community based services for older adults.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, August 22, 2000 pursuant to Notice published on or about August 9, 2000 and August 16, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on August 22, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$10,105.00 (Ten Thousand One Hundred Five Dollars), and such increase is hereby approved this 5TH day of SEPTEMBER, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

RECORDING FEE 8.00
TOTAL 8.00
Res: 3483 Rec: 499999
EHA ILC BIK: 1369
Sep 21, 2000 09:23 am

Date of Adoption: 9/5/00

Effective Date: 9/5/00

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, Sr. Commissioner

Daniel H. Raley
Daniel H. Raley, Commissioner

ATTEST:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Patrick B. Murphy
Patrick B. Murphy
Acting County Attorney

ORDINANCE

WHEREAS, the Board of County Commissioners believe it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to increase the appropriation for the Circuit Court for St. Mary's County, and

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 from the Maryland State Department of Human Resources, through the St. Mary's County Department of Social Services, for the purpose of providing the L. A. Project - a Legal Advocacy Service for Non-Custodial Parents with Court-Ordered Child Support in St. Mary's County.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on August 22, 2000 pursuant to Notice published on or about August 9, 2000 and August 16, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, August 22, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$63,600.00 (Sixty-Three Thousand Six Hundred Dollars), and such increase is hereby approved this 5TH day of SEPTEMBER, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

RECORDING FEE 0.00
TOTAL 0.00
Rest#5463 Rpt#399339
EWA TLC BIK#1369
Sep 21, 2000 09:24 am

Date of Adoption: 9/5/00

Effective Date: 9/5/00

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
Alfred A. Lacer

Alfred A. Lacer
County Administrator

Elaine M. Kramer

Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy

Patrick B. Murphy
Acting County Attorney

Subject: Amendment to Ordinance No. 2000-18 Impact Fee

FOR THE PURPOSE OF MODIFYING AND EXPOUNDING UPON SECTION 5(H) OF ORDINANCE 2000-18, REGARDING IMPACT FEE EXEMPTIONS FOR TRANSFER OF QUALIFYING LOTS OR A PARCEL OF RECORD AND TO REPEAL THE REQUIREMENT THAT THE SUBDIVISION OR PARCEL OF RECORD BE RECORDED AFTER JUNE 1, 2000, AND TO PROVIDE FOR A REFUND OF IMPACT FEE PAYMENTS PAID BY THOSE WHO HAVE PAID AN IMPACT FEE SINCE JUNE 1, 2000 FOR A TRANSFER THAT WOULD QUALIFY FOR AN EXEMPTION UNDER SECTION 5(H), AS AMENDED HEREBY.

RECORDING FEE 0.00
TOTAL 0.00
RECORDED REPT#999999
EMA TLC BIR#1671
Sep 26, 2000 09:18 am

ORDINANCE

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland desires to modify and expound upon § 5(H) of Ordinance 2000-18 regarding an Impact Fee exemption for qualifying intra-family transfers and to provide for a refund of monies paid by those qualifying for such an exemption under this modification; and

WHEREAS, pursuant to Maryland Annotated Code Article 25, Section 3 (r), a public hearing was held on August 8, 2000 after due and appropriate notice was advertised in The Enterprise, a newspaper of general circulation, on July 21, 2000, and July 28, 2000, for at least two successive weeks; and

WHEREAS, after public input and serious consideration of input from staff and the public it is determined that it is in the County's best interest to amend Ordinance 2000-18 and to modify and expound upon the intent of the exemption for qualifying intra-family transfers; and

WHEREAS, it is the intent of the Board of County Commissioners to refund monies already paid by citizens who qualify for the intra-family transfer under this modification that were paid to the St. Mary's County Department of Planning & Zoning since the effective date of Ordinance 2000-18; and

WHEREAS, except as otherwise expressly contained herein, Ordinance 2000-18 shall remain in full force and effect and shall not be further altered, changed or amended hereby; and

NOW, THEREFORE, BE IT ORDAINED, by the Board of County Commissioners for St. Mary's County Maryland that Ordinance No. 2000-18 is hereby amended as follows:

SECTION 1.

That the recital of Ordinance No. 2000-18 that states:

WHEREAS, in light of the fact many long-time County residents have purchased larger parcels of land with the intent of transferring at least part to their children and in order to promote the rural heritage of the County and to facilitate intra-family transfer of real property, the Board of County Commissioners deems it to be in the best interest of the County to exempt from the Impact Fee, the transfer of the first three lots from a parcel of record or lot of record recorded among the Land Records of St. Mary's County on or before June 1, 2000. Said exception is intended to

only provide an exception for the aggregate first three lots regardless of how the property is titled; and

Is hereby amended and replaced with the following:

WHEREAS, in light of the fact many long-time County residents have purchased larger parcels of land with the intent of transferring at least part to their children and in order to promote the rural heritage of the County and to facilitate intra-family transfer of real property, the Board of County Commissioners deems it to be in the best interest of the County to exempt from the Impact Fee, qualifying transfers. Said exemption is intended to only provide an exemption for an aggregate of three qualifying transfers regardless of how the property is titled; and

SECTION 2.

That Section 5(H) of Ordinance No. 2000-18 is amended to read as follows:

Section 5 – Exemptions

H. A lot of a minor recorded subdivision created from a parcel of record or a lot of record, an entire parcel of record, or a lot of record transferred to a member or members of the transferor's/transferors' immediate family, as those terms are defined herein. In no event shall there be exempt more than an aggregate of three qualifying transfers per transferor(s), regardless of how the property is titled.

This subsection 5(H) does not authorize an exemption to allow citizens to purchase a parcel of record or a lot in an existing subdivision and transfer that lot to an immediate family member for the purpose of avoiding the payment of an impact fee. The Department of Permits and Inspections shall consider the length of ownership by the transferor(s) and all other relevant information in implementing this subsection.

SECTION 3.

That a refund be paid, from the account to which the funds were credited or from that account to which the funds were subsequently transferred, to those who made payment of the Impact Fee that would now qualify for an exemption under Section 5(H) of Ordinance 2000-18, as amended herein, since the effective date of that Ordinance, June 1, 2000. In no event shall there be, authorized under this Ordinance, a refund of any other fees or monies. The Department of Permits and Inspections shall have the authority on a case by case basis to determine who is entitled to the refund.

Those voting Aye: BANDALL ANDERSON, Mathiasly, Paley

Those voting Nay: [Signature]


Those Absent: _____

ADOPTED: 9/19/00

BOOK 0017 PAGE 012

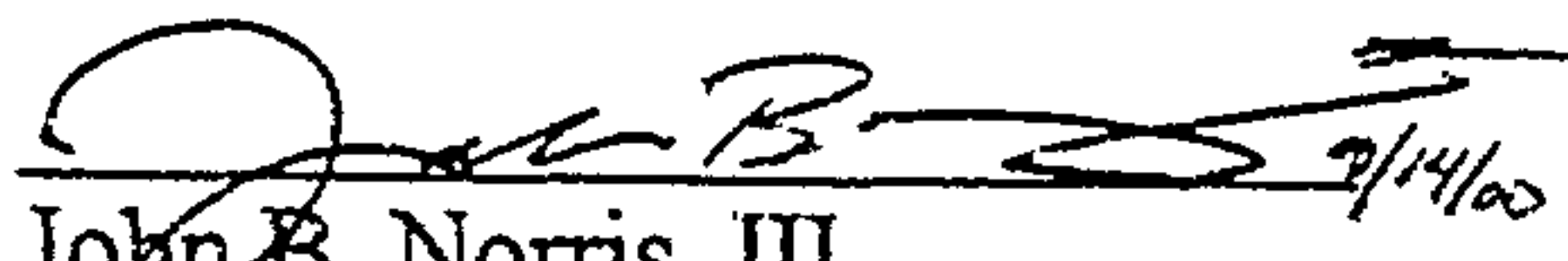
EFFECTIVE: _____

ATTEST:




Alfred A. Lacer, County
Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

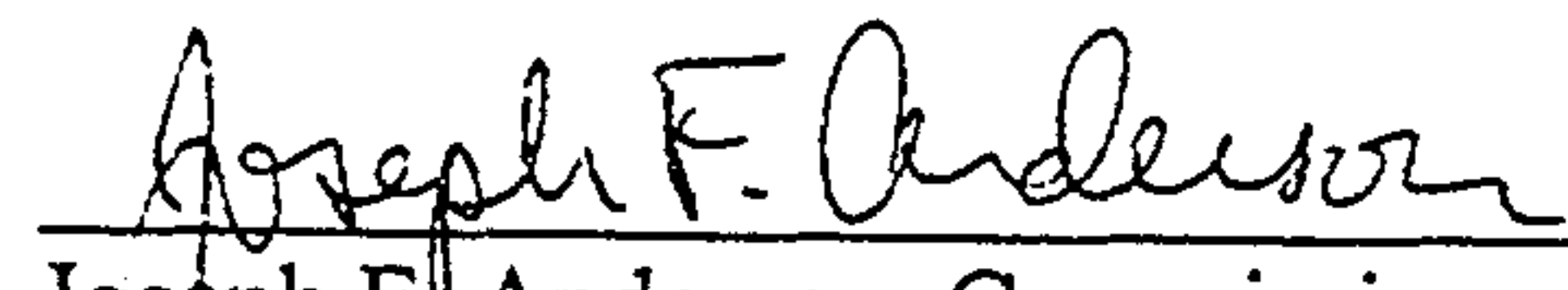


John B. Norris, III
Assistant County Attorney

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




Julie B. Randall, President



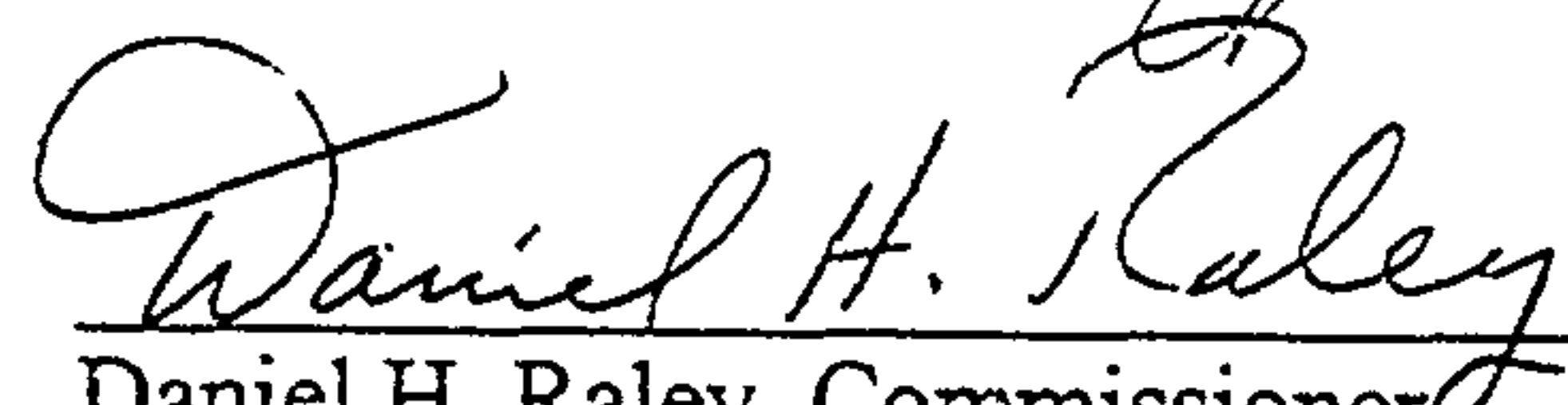
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

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BOOK 0017 PAGE 0013

SUBJ: Zoning Ordinance Text Amendment:
Single Family Detached Dwellings

ORDINANCE

AN ORDINANCE FOR PURPOSES OF AMENDING THE ST. MARY'S COUNTY ZONING ORDINANCE BY DECLARING "SINGLE FAMILY DETACHED DWELLINGS" AS A PERMISSIBLE USE IN COMMERCIAL VILLAGE CENTER (CVC) ZONING DISTRICTS.

WHEREAS, Pursuant to the authority granted under Article 66B, Section 4.04(a) of the Annotated Code of Maryland, Section 70.1.1 of the St. Mary's County Zoning Ordinance, as amended by Ordinance Number Z-2000-01, adopted and effective February 1, 2000, permits the Board of County Commissioners for St. Mary's County to amend the text of the Zoning Ordinance without receiving a recommendation from the Planning Commission; and

WHEREAS, a request was received from a county landowner to amend the St. Mary's County Zoning Ordinance to permit residential use in the Commercial Village Center (CVC) zone; and

WHEREAS, the Board of County Commissioners for St. Mary's County on August 22, 2000, adopted a motion directing a public hearing be held on the amendment of the St. Mary's County Zoning Ordinance; and

WHEREAS, the Board of County Commissioners for St. Mary's County held a public hearing on the proposed amendment on September 12, 2000, after due notice and publication on August 25, 2000 and September 1, 2000 in The Enterprise, a newspaper of general circulation in St. Mary's County, as required by Article 66B, Section 4.04(b) and Article 25, Section 3(r) of the Annotated Code of Maryland; and

WHEREAS, upon due consideration of the comments of the public and staff, the Board of County Commissioners for St. Mary's County finds it to be in the best interest of public health, safety and welfare to allow "Single Family Detached Dwellings" as a permissible use in Commercial Village Center (CVC) zoning districts, and, therefore desires to amend the St. Mary's County Zoning Ordinance accordingly.

NOW, THEREFORE, BE IT ORDAINED, that the St. Mary's County Zoning Ordinance shall be amended to add "Single Family Detached Dwellings" in Table 2.1 (Residential) as a permissible use within the Commercial Village Center (CVC) Zoning District, as shown in ATTACHMENT 1, attached hereto and incorporated by reference.

BE IT FURTHER ORDAINED, that, 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 for St. Mary's County 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 for St. Mary's County in enacting this Ordinance.

BE IT FURTHER ORDAINED, that this Ordinance shall take effect on the date set forth below as the "Effective Date."

RECORDING FEE 0.00
TOTAL 0.00
RES#5103 REP#4999999
EM# P1 11/21
OCT 02 2000 12:41 PM

SUBJ: Zoning Ordinance Text Amendment:
Single Family Detached Dwellings

Those voting Aye: ALL

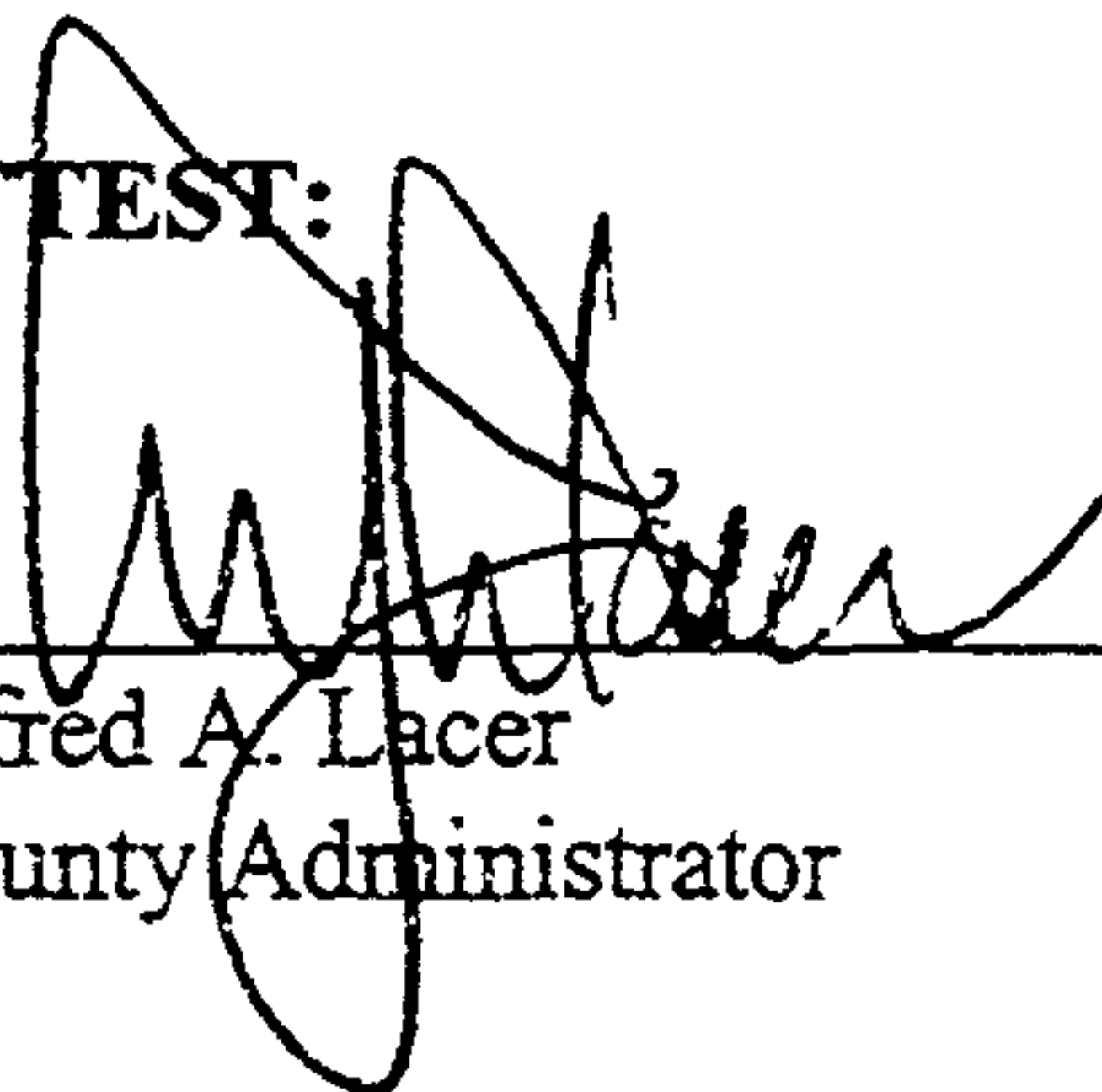
Those voting Nay: _____

Those Absent: _____

DATE OF ADOPTION: 9/26/00

EFFECTIVE DATE: 9/26/00

ATTEST:



Alfred A. Lacer
County Administrator

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

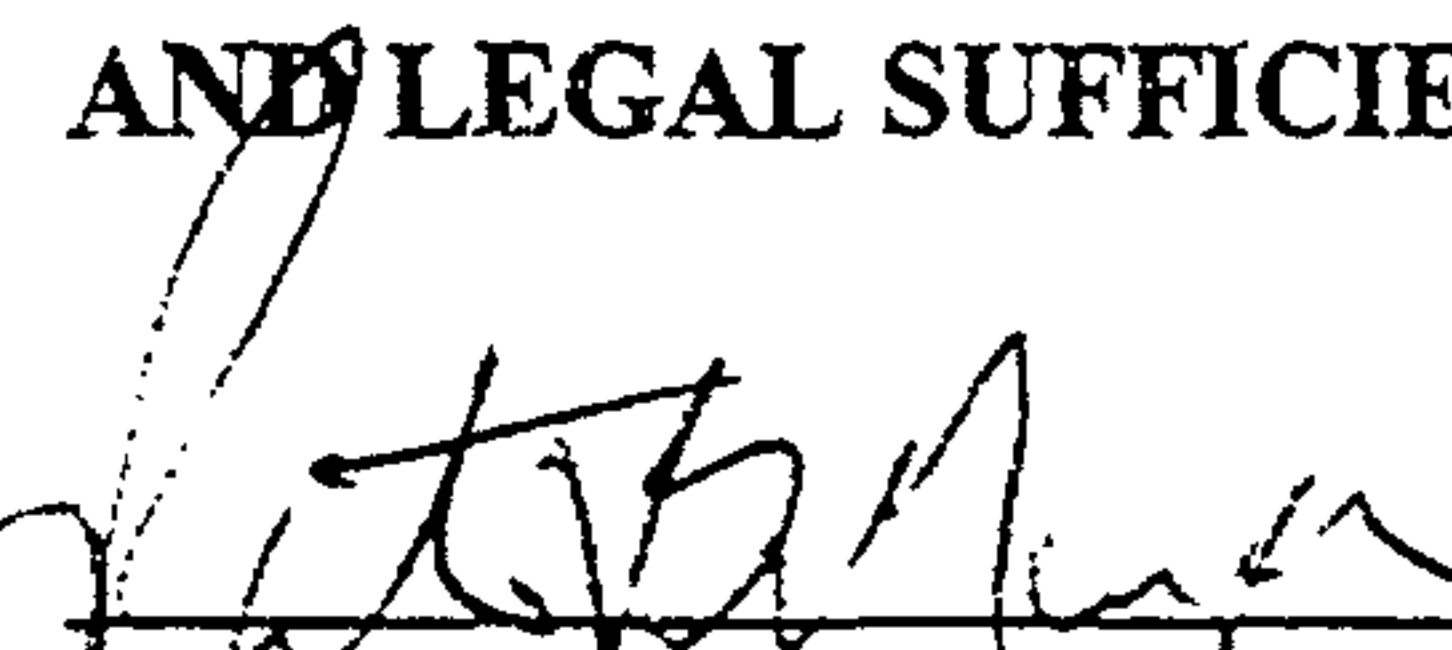


Julie B. Randall, President



Joseph F. Anderson, Commissioner

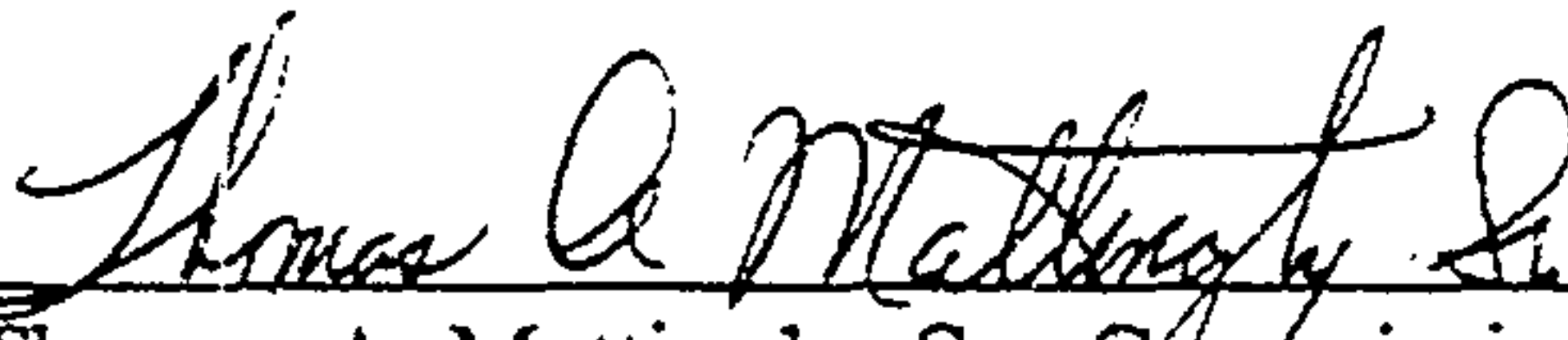
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:



Patrick B. Murphy,
Acting County Attorney



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

TABLE 2.1 - TABLE OF USES

I. RESIDENTIAL⁴

	A	RPD	RNC ⁴	RVC	RTC	RL	RH	CL	CVC	C	CM	I
Single-Family Detached Dwellings	P	P	P	P	P	P	P	-	P	-	-	-
Two-Family Dwellings	-	P5	CU4	P5	P5	P5	P5	-	-	-	-	-
Townhouse	-	-	CU4	-	P5	P5	P5	-	-	-	-	-
Multiple-Family Dwellings, including Garden Apartments	-	-	CU4	-	P5	P5	P5	-	-	-	-	-
ACCESSORY DWELLINGS:												
Accessory Apartments	P	P5	CU4	P5	P5	P5	-	-	-	-	-	-
Caretaker Residence	-	-	CU4	-	-	-	-	-	-	-	-	P5
Residence Incidental to Commercial ¹	-	-	CU4	-	-	-	-	P5	P5	P5	P5	-
Day or Boarding Camps	CU5	CU5	CU4	CU5	CU5	CU5	-	-	-	-	-	-
Nursing Homes	-	CU5	CU4	CU5	CU5	CU5	-	-	-	-	-	-
Conversion of Existing Structures to Country Inns, Rooming and Boarding Houses including Bed and Breakfast Establishments, or Lodging Facility ²	P5	P5	CU4	P5	P5	P5	-	-	-	-	-	-
		CU ³	-	-	-	-	-	-	-	-	-	-

1 Relocate Standards from each Commercial District to Article 5

2 Relocate Standards from each Residential District to Article 5

3 Allowed as a Conditional Use if Standards of Section 32.01(2)(d) cannot be met

4 Residential uses deemed by the Board of Appeals to be similar to existing uses in the specific RNC District

P	=	Permitted Use
P5	=	Permitted, Subject to Meeting Article 5 Standards
CU	=	Conditional Use Requiring Board of Appeals Approval
-	=	Not Permitted

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 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 \$2,489.00 are available in State grant funds from the Maryland Department of Aging, Older Americans Act funds, for the purpose of increasing senior nutrition and community service projects.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, September 12, 2000 pursuant to Notice published on or about August 30, 2000 and September 6, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 12, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$2,489.00 (Two Thousand Four Hundred Eighty-Nine Dollars), and such increase is hereby approved this 26 day of September, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 9/26/00

Effective Date: 9/26/00

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
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Director of Finance

RECORDING FEE 8.00
TOTAL 8.00
Res#5283 Rpt#399999
EWA PL Blk#71
Oct 02, 2000 12:42 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
Patrick B. Murphy
Acting County Attorney

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 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 \$8,600.00 are available in State grant funds from the Maryland Department of Aging for the purpose of providing subsidy funds and an administrative allowance for persons residing in Senior Group Assisted Homes, which will enable the St. Mary's County Office on Aging to provide financial subsidies to qualifying residents of such homes in the event one or more is established in the County during fiscal year 2001.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, September 12, 2000 pursuant to Notice published on or about August 30, 2000 and September 6, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 12, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$8,600.00 (Eight Thousand Six Hundred Dollars), and such increase is hereby approved this 26 day of September, 2000, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 9/26/00
Effective Date: 9/26/00

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:
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
RESERVED Nov 14 2000
EVA PL 01K471
Oct 02 2000 12:42 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Patrick B. Murphy
Acting County Attorney

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 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 \$9,000.00 are available in State grant funds from the Maryland Department of Aging for the purpose of financing the acquisition of a new statistical reporting system, which has been adopted on a statewide basis. The system will enable the St. Mary's County Office on Aging to comply with departmental reporting requirements.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, September 12, 2000 pursuant to Notice published on or about August 30, 2000 and September 6, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on September 12, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$9,000.00 (Nine Thousand Dollars), and such increase is hereby approved this 26 day of September, 2000, by the Board of County Commissioners of St. Mary's County Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 9/26/00
Effective Date: 9/26/00

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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
Res#0900 Acct#000000
Exp FL BIK#71
Oct 26 2000 12:43 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Patrick B. Murphy
Patrick B. Murphy
Acting County Attorney

Rerecord - Information was not completed on the signature page.

BOOK 0017 PAGE 0001

Resolution No. 00- 23

BOOK 0017 PAGE 0019

SUBJECT: The Appeal of the denial of Concept Site Plan Amendment of the First Colony Planned Unit Development finding the Proposed Amendment constitutes a "Major Change"

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

In the Matter of: The Appeal of the decision of the St. Mary's County Planning Commission dated March 13, 2000 denying Concept Site Plan Amendment approval of the First Colony Development Plan upon a finding that the requested change constitutes a "Major Change" as defined by the Zoning Ordinance and the approved and adopted Development Plan for First Colony.

RECORDING FEE 0.00
TOTAL 0.00
Res#0003 Acct#000000
EWA TLC Bk#41369
Sep 21, 2000 09:22 am

RECITALS

Whereas, by Ordinance Z-98-03, dated June 9, 1998, the Board of County Commissioners for St. Mary's County, Maryland, (the "County Commissioners"), upon recommendation of the St. Mary's County Planning Commission, (the "Planning Commission"), and upon the completion of a public hearing, approved and adopted the First Colony Planned Unit Development Plan, (the "Development Plan"), as pertains to that property; and

Whereas, by application dated April 6, 2000, the Owner/Appellant, Trammel Crow Company, sought Concept Site Development Plan amendment approval to amend the previous approval for Parcel 3-A pursuant to the "Minor Change," administrative modification process, set forth at First Colony Planned Unit Development Plan Section I.E.5.a, pg. 13; and

TOTAL 0.00
Res#0003 Acct#000000

RE-RECORDED

Whereas, the Planning Commission heard that request from the Owner for Concept Site Development Plan amendment on March 13, 2000, identified as CDSP #00-130-00018; and

EWA NB Bk#4972
Oct 16, 2000 11:52 am

Whereas, due to the legislative nature of the approved Planned Unit Development Ordinance for First Colony, a change to that Ordinance or the documents incorporated therein, that "substantially alters the concept or intent of First Colony," requires a legislative, as opposed to an administrative, amendment to the approved Planned Unit Development Ordinance; and

Whereas, on motion and unanimous vote of the Planning Commission on March 13, 2000, the request of Owner/Appellant, Trammel Crow Company, was DENIED by the Planning Commission, finding, pursuant to Section I.E.5.b, of the First Colony Planned Unit Development Plan, that "the requested change substantially alters the concept and constitutes a major change of the final governing PUD Agreements or covenants." (Minutes of the St. Mary's County Planning Commission, March 13, 2000, p.11, Appellant's Exhibit 8, Appellee's Exhibit 1); and

Whereas, an appeal from that decision was noted to the County Commissioners by letter dated April 5, 2000 and Notice of Appeal dated April 6, 2000 from Wilkes, Artis, Hedrick & Lane, Chtd. and Stephen J. Braun, attorney to Trammel Crow Company, (Appellant's

Exhibit 11), within the thirty (30) day statute of limitations set forth at Section 51.4(3) of the St. Mary's County Zoning Ordinance (1994); and

Whereas, the threshold question on appeal is whether the Planning Commission correctly found the requested change may not be effectuated through an administrative amendment to the PUD legislation, but, rather, the requested change is a "Major Change," which requires legislative action to become effective; and

Whereas, the Owner/Appellant, Trammel Crow Company, presented evidence of publication of public notice of this appeal in *The Enterprise*, a newspaper of general circulation in St. Mary's County, on June 23, 2000 and June 28, 2000, and direct mailing to adjoining property owners, (Appellant's Exhibits 12 and 13); and

Whereas, the County Commissioners heard the appeal, as noted by Appellant's letter of April 5, 2000, at an open session of the County Commissioners on July 11, 2000 using a procedure for the submission of evidence and oral argument agreed upon by counsel to both parties;

Whereas, after consideration of the evidence and testimony presented at the hearing of July 11, 2000, and those documents constituting the official record of that Hearing, the following findings and decision of the County Commissioners is noted:

FINDINGS

Now therefore, the Board of County Commissioners for St. Mary's County, Maryland makes the following findings:

1. The publication of Notice as presented by Owner/Applicant is sufficient to meet the requirements of Section 3(r) of Article 25 of the Annotated Code of Maryland; and
2. An approved PUD may "be developed only according to the approved final [Development Plan] and all supporting data." St. Mary's County Zoning Ordinance, Section 38.5.4.b, pg. 181 (1994); (See also, Development Plan for First Colony Planned Unit Development, Section I.E.5, pg. 13, Appellant's Exhibit 4, Appellee's Exhibit 11); and
3. The County Commissioners, by adoption within a legislative enactment, Ordinance Z-98-03, approved the final Development Plan of First Colony; and
4. As defined by the Development Plan, a "Major Change" is a change ". . . which substantially alter the concept or intent of First Colony . . ." Development Plan for First Colony Planned Unit Development, Section I.E.5.b, pg. 13, (Appellant's Exhibit 4); and
5. The amendment of a Planned Unit Development for which a change alters the concept or intent of the adopted, legislative Ordinance, a "Major Change," must be addressed legislatively since an administrative act may not properly alter the concept or intent of a legislative act; and
6. The approved Planned Unit Development Ordinance for First Colony, as approved by Ordinance Z-98-03, dated June 9, 1998, incorporated by

reference and relied upon the information contained in the following: (1) the final Development Plan, entitled "First Colony, A Planned Unit Development," dated November 1996; (2) a "Market Analysis, Faison Retail First Colony PUD" dated June 4, 1997, (the "Market Analysis"); and (3) testimony and other evidence entered into the record during the hearings considering the adoption of that Ordinance, (Appellant's Exhibit 2, Appellee's Exhibit 8); and

7. The aforementioned documents, so incorporated into the Planned Unit Development Ordinance for First Colony and the approved Development Plan for First Colony by reference, evidence that an entertainment component is a key and integral part of the Ordinance and the Development Plan; by way of example, the approved Development Plan states that "[r]esidential areas have been placed in close proximity to a wide variety of work places, shopping, eating and *entertainment activities*." First Colony Planned Unit Development, Section III.A, pg. 28, (Appellant's Exhibit 4), (emphasis added); and further references to an entertainment component are found in the incorporated Market Analysis, (Appellee's Exhibit 7), which opines regarding the economic viability and benefit to St. Mary's County for "Theaters" as part of the approved development; the Conceptual Site Plan, (Appellant's Exhibit 5), which identifies the land at issue in this appeal, Parcel 3-A, as a "Theater;" and a Trip Analysis report, presented by the Owner at the public hearings regarding the Development Plan, which calculates the traffic loading on County infrastructure based upon a "Movie Theater with Matinee" Use category, (Appellee's Exhibit 10); and
8. That Mr. Szlendak, Owner's representative during the time of the initial consideration of the Development Plan, preceding the legislative adoption of the Planned Unit Development Ordinance for First Colony, included representations that "[t]he northwest commercial section, heading toward Route 4, will house a 'state-of-the-art' multiplex theatre, capable of expanding as the market grows." Minutes of the St. Mary's County Planning Commission, April 14, 1997, p.53, (Appellant's Exhibit 8, Appellee's Exhibit 5); and
9. That the development of that Parcel 3-A as a movie theater was used in the Market Analysis calculating the viability of the Planned Unit Development as a whole and the potential economic benefit to St. Mary's County from tax revenue derived from the operation of a movie theater, and that a change from that proposed use will alter the anticipated benefit to the County, as set forth in the Market Analysis, (Appellee's Exhibit 7); and
10. That the change requested by Appellant could alter the design standards of roads considered in approving the First Colony Planned Unit Development Ordinance, depending upon the recalculation of traffic trip generations; and
11. That Supplement I to the Development Plan, as presented by Appellant at the hearing of this appeal, does not contradict these findings, which are supported by the approved legislative Ordinance and the documents referenced therein; and
12. As such, the change requested by the Appellant substantially alters the concept or intent of the First Colony Development Plan, and, therefore,

constitutes a "Major Change," as defined by the approved Development Plan, and, if approved, would require a legislative change to the Development Plan through the process set forth therein; and

- 13. Finally, the change requested by the Appellant also represents a change of use from the approved Development Plan, and, therefore, constitutes a "Major Change," as defined by the approved Development Plan, and, if approved, require a legislative change to the Development Plan through the process set forth therein.

DECISION

NOW THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND THAT, based upon the Findings set forth above, and the information contained in the official record of this appeal, the Appeal of CDSP #00-130-00018 is **DENIED**, and, therefore, that the findings and decision of the St. Mary's County Planning Commission regarding case CDSP #00-130-00018 are hereby **AFFIRMED**.

Resolved this 5th day of September 2000.

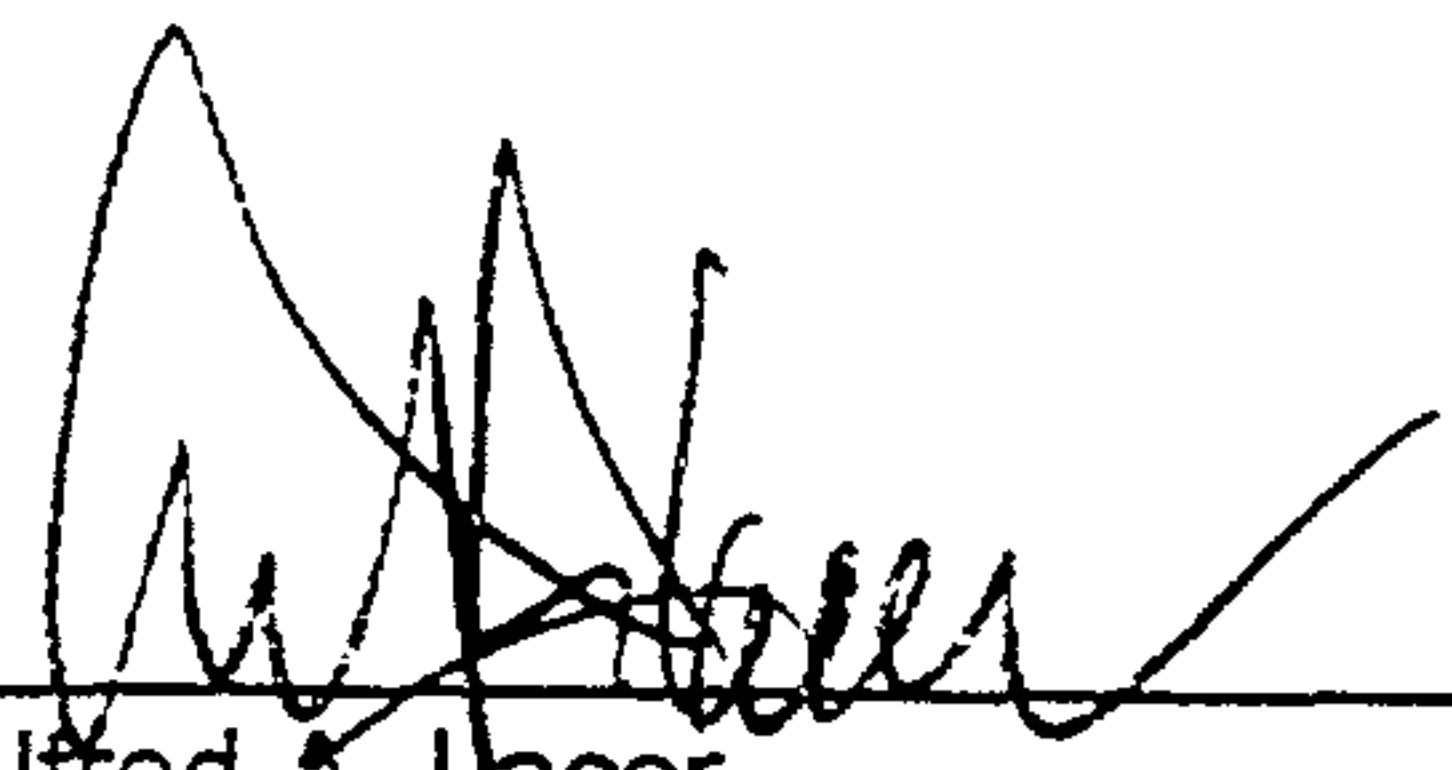
THOSE VOTING AYE: ALL

THOSE VOTING NAY: _____

THOSE ABSENT: _____

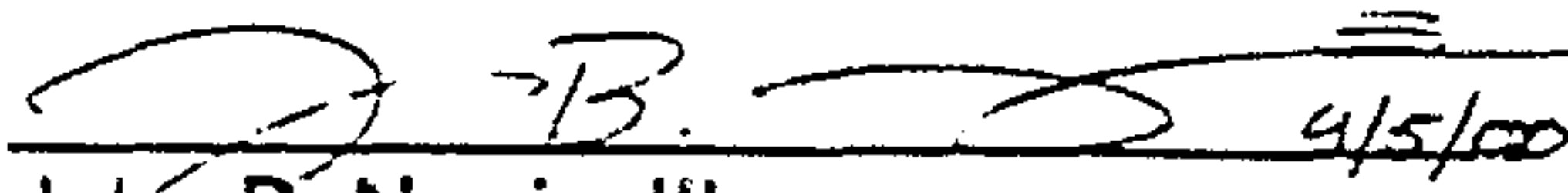
(SEAL)

ATTEST:

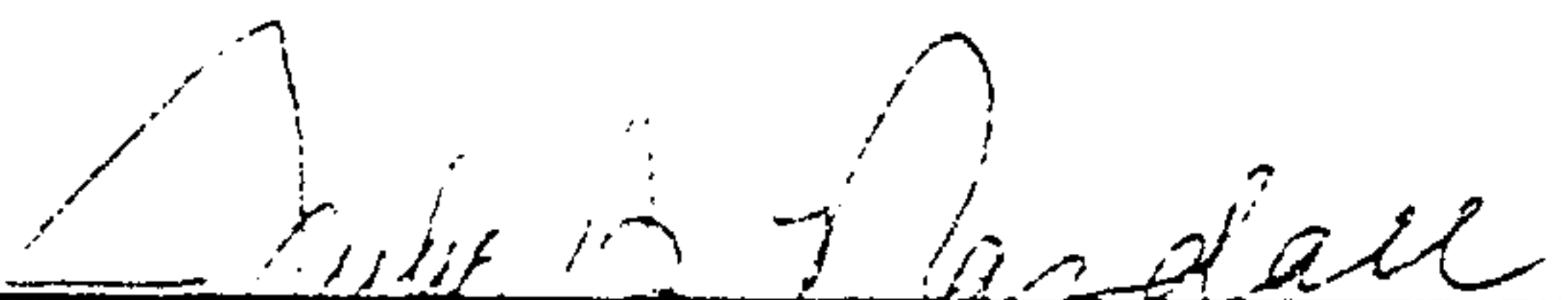


 Alfred A. Lacer
 County Administrator

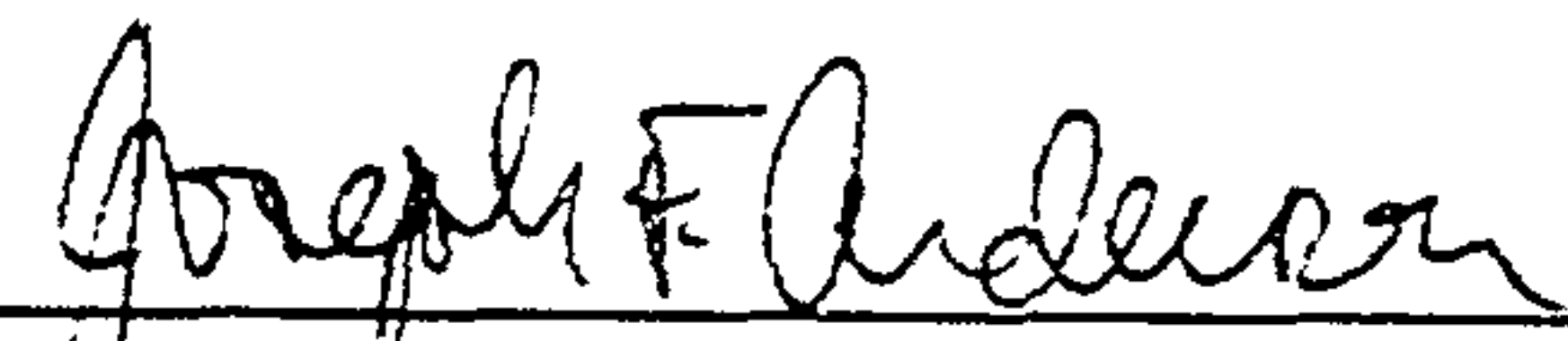
APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


 _____ 9/5/00
 John B. Norris, III,
 Assistant County Attorney

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



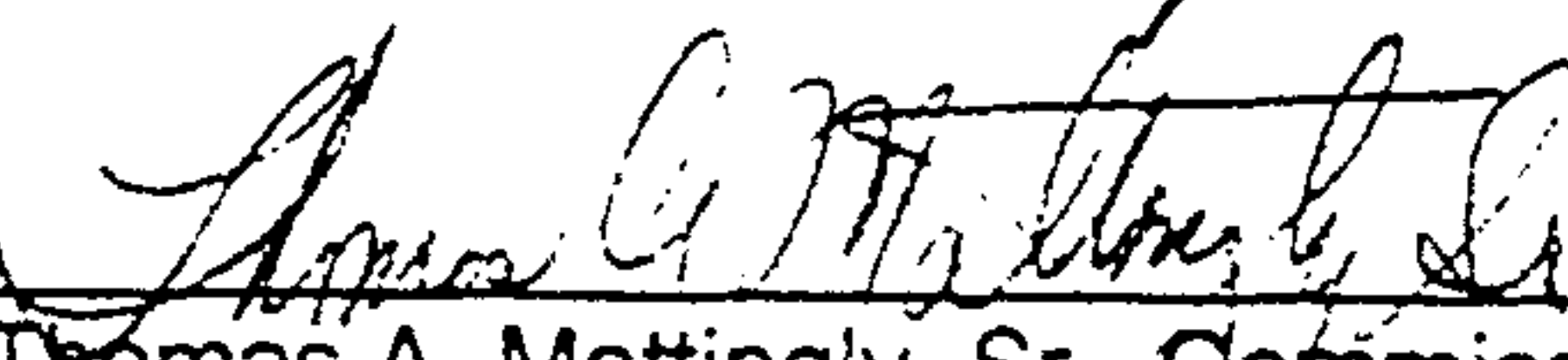
 Julie B. Randall, President



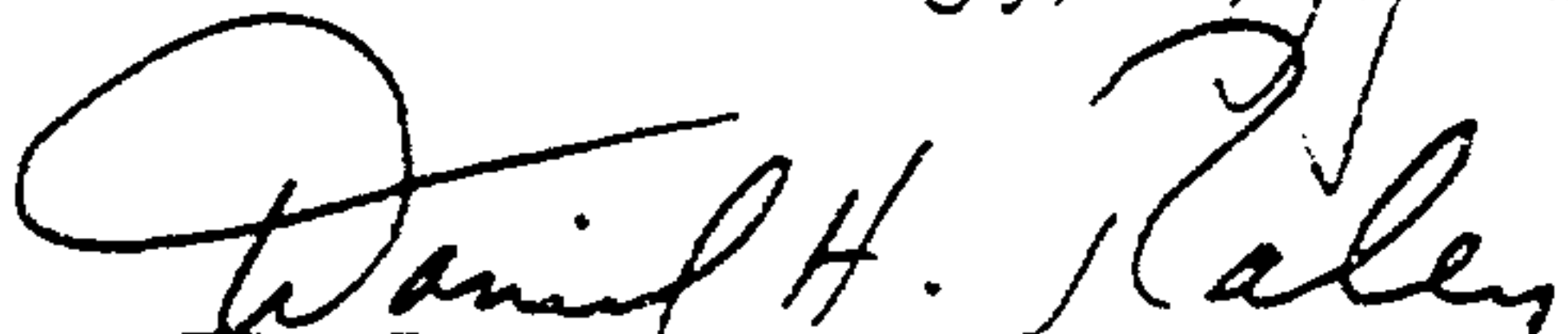
 Joseph F. Anderson, Commissioner



 Shelby P. Guazzo, Commissioner



 Thomas A. Mattingly, Sr., Commissioner



 Daniel H. Raley, Commissioner

BOOK 0017 PAGE 0023

No. 2000-25

SUBJECT: RESOLUTION TO APPLY TO THE MARYLAND DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO DESIGNATE THE LEXINGTON PARK REVITALIZATION DISTRICT A STATE ENTERPRISE ZONE

RESOLUTION

WHEREAS, the Board of St. Mary's County Commissioners seeks to encourage redevelopment within the Lexington Park Revitalization District; and

WHEREAS, the District is identified in the County's Comprehensive Land Use Plan as the "Wedge" and is bounded by Pegg Road on the north, Hermanville Road on the south and at Great Mills High School on the west; and

WHEREAS, the Maryland Department of Business and Economic Development administers the State's Enterprise Zone program; and

WHEREAS, the Maryland Department of Business and Economic Development creates Enterprise Zones for the purpose of providing unique tax advantages to property and business owners located in the Zone to bring about commercial revitalization of economically depressed areas within the State of Maryland; and

WHEREAS, on the basis of an analysis of the most recent census block data, the Lexington Park Revitalization District appears to meet the criteria to qualify as a State Enterprise Zone; and

WHEREAS, a Public Hearing was held pursuant to Maryland Annotated Code, Article 25 §3(r) on September 26, 2000 at 1:30 p.m. after due notice was published in The Enterprise, a newspaper of general circulation on September 8, 2000 and September 15, 2000 and the Public was given the opportunity to be heard and comment on the proposed Resolution; and

WHEREAS, the Board of County Commissioners properly notified the public of its intention to apply to the Maryland Department of Business and Economic Development for an Enterprise Zone designation to overlay the Lexington Park Revitalization District,

NOW, THEREFORE, BE IT RESOLVED that the Board of St. Mary's County Commissioners will:

- 1. Submit an application to the Maryland Department of Business and Economic Development to have the Lexington Park Revitalization District designated as a State Enterprise Zone for the expressed purpose of encouraging redevelopment, business expansion and retention within the Revitalization District.

Those voting Aye: ALL

Those voting Nay:

Those Absent:

RECORDING FEE 0.00
TOTAL 0.00
Res#5403 Rec#4999999
EWA HAS BIK#1836
Oct 17, 2000 10:31 am

BOOK 0017 PAGE 0024

No. 2000-25

SUBJECT: RESOLUTION TO APPLY TO THE MARYLAND DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT TO DESIGNATE THE LEXINGTON PARK REVITALIZATION DISTRICT A STATE ENTERPRISE ZONE

Date of Adoption: 10-10-00
Effective Date: 10-10-00

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:

Alfred A. Lacer

Alfred A. Lacer
County Administrator

APPROVED AS TO FORM AND SUFFICIENCY:

Patrick Murphy

Patrick Murphy
Acting County Attorney

No. 2000-26

SUBJECT: RESOLUTION TO APPROVE A PROJECT TO PROVIDE NURSING ASSISTANT TRAINING AND CERTIFICATION IN LEXINGTON PARK, MARYLAND TO INDIVIDUALS WITH LIMITED INCOME

RESOLUTION

WHEREAS, United Cerebral Palsy of Southern Maryland, a nonprofit organization, proposes to undertake the Project described above; and

WHEREAS, United Cerebral Palsy of Southern Maryland has applied to the Department of Housing and Community Development of the State of Maryland for approval of the project and an allocation of tax credits for business entities that contribute to the Project, under the Department's Neighborhood Partnership Program; and

WHEREAS, the Board of St. Mary's County Commissioners approves the project.

NOW, THEREFORE, BE IT RESOLVED, that the Board of St. Mary's County Commissioners hereby expresses approval of the Project as described above.

ADOPTED AND APPROVED by the Board of St. Mary's County Commissioners on 10 day of October, 2000.

Those voting Aye: ALL

Those voting Nay: _____

Those Absent: _____

Date of Adoption: 10-10-00
Effective Date: 10-10-00

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

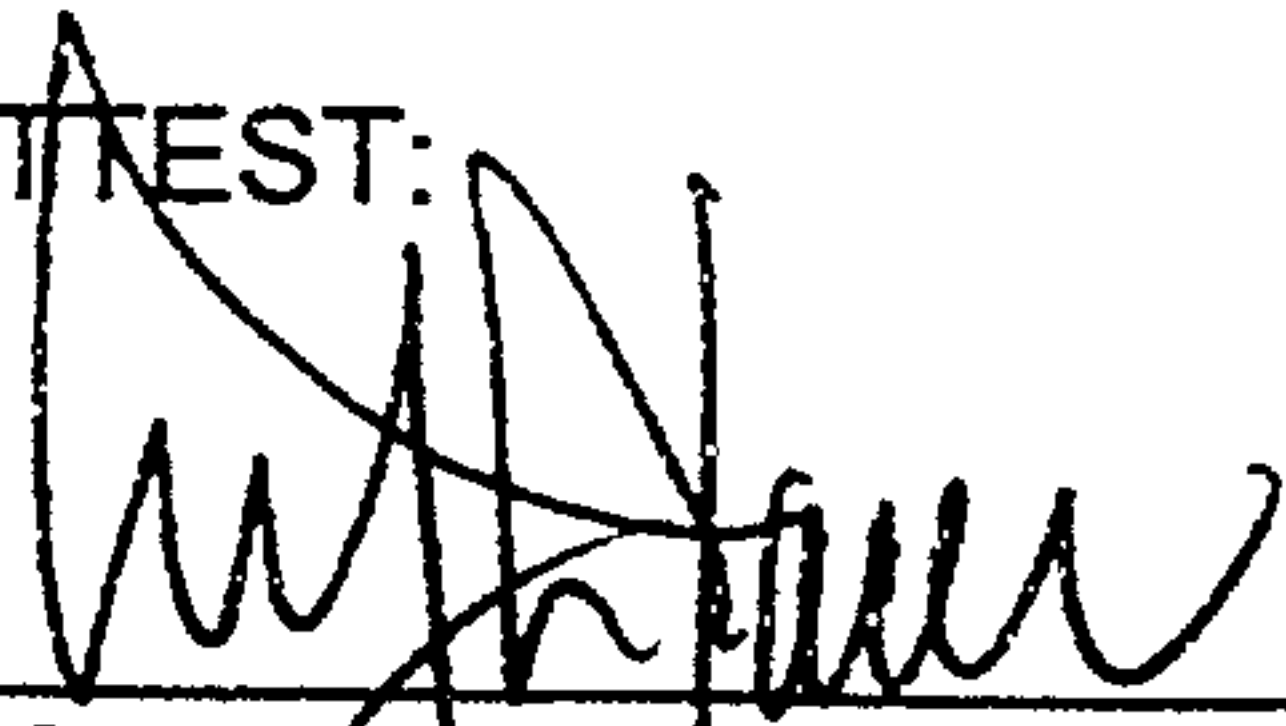
Daniel H. Raley
Daniel H. Raley, Commissioner

RECORDING FEE 0.00
TOTAL 0.00
REG#SMB3 RCF#1999333
EWA H&B R/L#1036
Oct 17, 2000 10:32 am

No. 2000-26

**SUBJECT: RESOLUTION TO APPROVE A PROJECT TO PROVIDE
NURSING ASSISTANT TRAINING AND CERTIFICATION
IN LEXINGTON PARK, MARYLAND TO INDIVIDUALS
WITH LIMITED INCOME**

ATTEST:

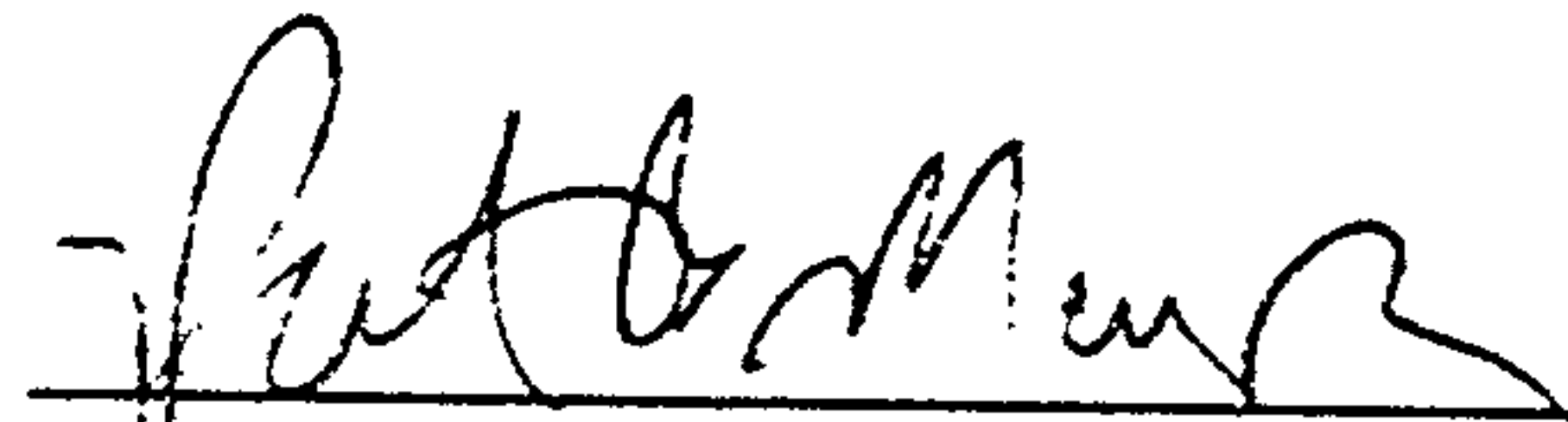


Alfred A. Lacer
County Administrator



Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND SUFFICIENCY:



Patrick Murphy
Acting County Attorney

BOOK 0017 PAGE 0027

Subject: Rescinding
Resolution No. 1978-054
Regarding St. Mary's County
Community College
Advisory Board By-Laws

RESOLUTION

FOR THE PURPOSE OF RESCINDING RESOLUTION NO. 78-054
REGARDING ST. MARY'S COUNTY COMMUNITY COLLEGE ADVISORY
BOARD BY-LAWS

WHEREAS, the College of Southern Maryland was created pursuant to
Maryland Annotated Code, Education Article, §§11-105, 16-601 to 16-610 (Laws of
Maryland 1999, Ch. 515 §§1, 3; 2000 Ch. 61, §6); and

WHEREAS, the establishment of the College of Southern Maryland
superceded the preexisting Community College at St. Mary's County; and

WHEREAS, due to the establishment of the College of Southern
Maryland, the Community College of St. Mary's County is no longer in existence; and

WHEREAS, it is necessary to rescind and abolish the St. Mary's County
Community College Advisory Board and the by-laws adopted thereby pursuant to St.
Mary's County Board of County Commissioners' Resolution No. 1978-054;

NOW, THEREFORE, BE IT RESOLVED, this 17th day of
October, 2000 by the County Commissioners for St. Mary's County, that
Resolution No. 1978-054 establishing the St. Mary's County Community College
Advisory Board and permitting adoption of by-laws thereunder is hereby rescinded.

Those voting Aye: ALL

Those voting Nay: _____

Those Absent: _____

ADOPTED: 10/17/00

EFFECTIVE: 10/17/00

RECORDING FEE 8.00
TOTAL 8.00
Res#0003 Acct#999999
EWA TLC BIR#1276
Oct 19, 2000 02:38 PM

ATTEST:

[Signature]
Alfred A. Lacer, County Administrator

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

[Signature]
Julie B. Randall, President

[Signature]
Joseph F. Anderson, Commissioner

[Signature]
Shelby P. Guzzo, Commissioner

[Signature]
Thomas A. Mattingly, Sr., Commissioner

[Signature]
Daniel H. Raley, Commissioner

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:

[Signature]
Patrick B. Murphy, Acting County
Attorney

BOOK 0017 PAGE 0028

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

A RESOLUTION AUTHORIZING THE FILING OF AN APPLICATION WITH THE MASS TRANSIT ADMINISTRATION OF THE MARYLAND DEPARTMENT OF TRANSPORTATION FOR A SECTION 5311 GRANT UNDER THE FEDERAL TRANSIT ACT.

Recitals

WHEREAS, the Mass Transit Administration is the designated recipient in Maryland for grants under the Federal Transit Act; and

WHEREAS, the Administrator of the Mass Transit Administration, a modal administration of the Maryland Department of Transportation, is authorized to make grants to counties and to local governments for a mass transportation programs and projects through a contract for financial assistance with the with the Mass Transit Administration; and

WHEREAS, a contract for financial assistance imposes certain obligations upon the applicant, including the provision that the local government share of the project costs; and

WHEREAS, it is required by the United States Department of Transportation in accordance with the provisions of Title VI of the Civil Rights Act of 1964 that, in connection with the filing of an application for assistance under the Federal Transit Act, the applicant give an assurance that it will comply with Title VI of the Civil Rights Act of 1964 and the United States Department of Transportation requirements thereunder; and

WHEREAS, it is the goal of the County that minority business enterprise be utilized to the fullest extent possible in connection with this project, and that definite procedures shall be established and administered to ensure that minority business shall have the maximum construction contracts, supplies, equipment contracts, or consultant and other services.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland, the filing of the aforesaid application be endorsed, and

BE IT FURTHER RESOLVED that the President of the Board of County Commissioners is hereby authorized to execute the application for a 5311 Grant under the Federal Transit Act, in substantially the same form as attached hereto as Exhibit A, incorporated by reference, and all other instruments, documents and certificates necessary, proper, or expedient in connection with the application and securing said Grant, and

BE IT FURTHER RESOLVED that this Resolution shall take effect from the date set forth below as the "Effective Date."

Adopted: 10/17/00

Effective Date: 10/17/00

Those voting Aye: ALL

Those voting Nay:

RECORDING FEE 0.00
TOTAL 0.00
Rec#49403 Ac#499399
EWA JLC BIR#1276
Oct 19, 2000 02:39 PM

ATTEST:

[Signature]
Alfred A. Lacer
County Administrator

[Signature]
Julie B. Randall, President,
Board of County Commissioners

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:

[Signature]
Joseph F. Anderson, Commissioner

[Signature]
Patrick B. Murphy
Acting County Attorney

[Signature]
Shelby P. Guazzo, Commissioner

[Signature]
Thomas A. Mattingly, Sr., Commissioner

[Signature]
Daniel H. Raley, Commissioner

Certificate

This certifies that the President of the Board of County Commissioners did in fact before me this date, sign and execute this application and the foregoing Resolution.

[Signature]
Signature of Recording Officer

Administrative Assistant
Title of Recording Officer to Exec.

10/17/00
Date

My Commission Expires NA

Subject: Lexington Park Senior Apartments
Endorsement of Financing by the
Department of Housing and
Community Development

BOOK 0017 PAGE 0030

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND APPROVING THE DEVELOPMENT OF HOUSING IN LEXINGTON PARK, MARYLAND TO BE FINANCED EITHER DIRECTLY BY THE DEPARTMENT OF HOUSING AND COMMUNITY DEVELOPMENT OF THE STATE OF MARYLAND, (THE "DEPARTMENT"), OR THROUGH THE DEPARTMENT'S COMMUNITY DEVELOPMENT ADMINISTRATION

RECITALS

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland recognizes that there is a significant need for decent, safe and sanitary housing in St. Mary's County for seniors of low or limited incomes; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, has adopted an Affordable Housing Plan which provides for the production of affordable housing through the year 2003; and

WHEREAS, the Lexington Park Senior Housing, L.P., a Maryland Limited Partnership, proposes to construct and operate a rental housing development comprised of approximately 110 one and two bedroom apartments, known as Lexington Park Senior Apartments, (the "Project"), located on Peggs Road, Lexington Park, Maryland; and

WHEREAS, the Department of Housing and Community Development of the State of Maryland, (the "Department"), either directly or through the Community Development Administration, (the "Administration"), may provide some or all of the financing for the project, (the "Project Financing"), in order to assist in making it financially feasible; and

WHEREAS, the applicable law, regulations and Department requirements necessitate approval of the Project and the Project Financing by the Board of County Commissioners for St. Mary's County, Maryland.

NOW, THEREFORE, BE IT RESOLVED THAT, the County Commissioners for St. Mary's County, Maryland hereby endorses the construction and operation of the Project upon the proposed site, and as being consistent with the long-term goals of the Affordable Housing Plan; and

BE IT FURTHER RESOLVED THAT, the County Commissioners for St. Mary's County, Maryland endorse the Project Financing as operating or capital assistance in the form of a loan from the Department or the Administration to the Lexington Park Senior Housing, L.P. in the approximate amount of Eight Million Dollars, (\$8,000,000.00); and

BE IT FURTHER RESOLVED THAT, a certified, true-test copy of this Resolution shall be sent to the Secretary of Housing and Community Development of the State of Maryland; and

BE IT FURTHER RESOLVED THAT, this Resolution shall take effect from the date set forth below as the "Effective Date."

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

RECORDING FEE 0.00
TOTAL 0.00
Res#0003 Rec#000000
EMA TLC Bk#1276
Oct 19, 2000 02:39 PM


BOOK 017 PAGE 031

**Subject: Lexington Park Senior Apartments
Endorsement of Financing by the
Department of Housing and
Community Development**

DATE OF ADOPTION: 10/17/00


EFFECTIVE DATE: 10/17/00

ATTEST:



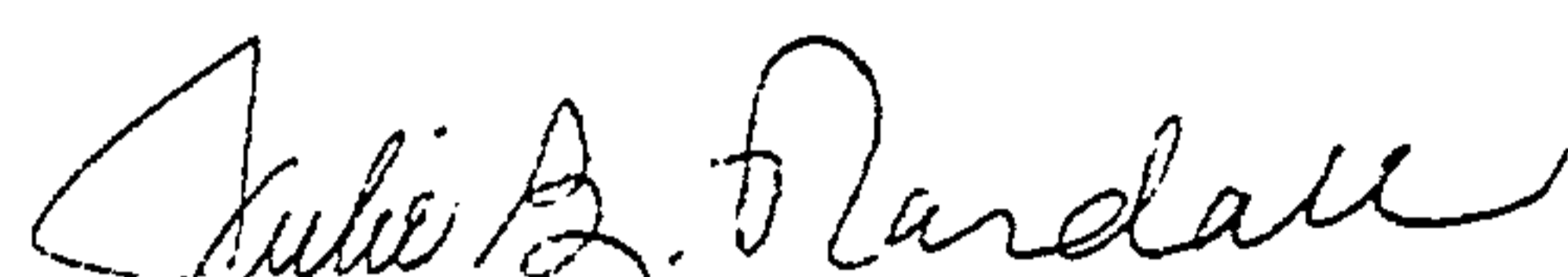
Alfred A. Lacer,
County Administrator

**APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:**

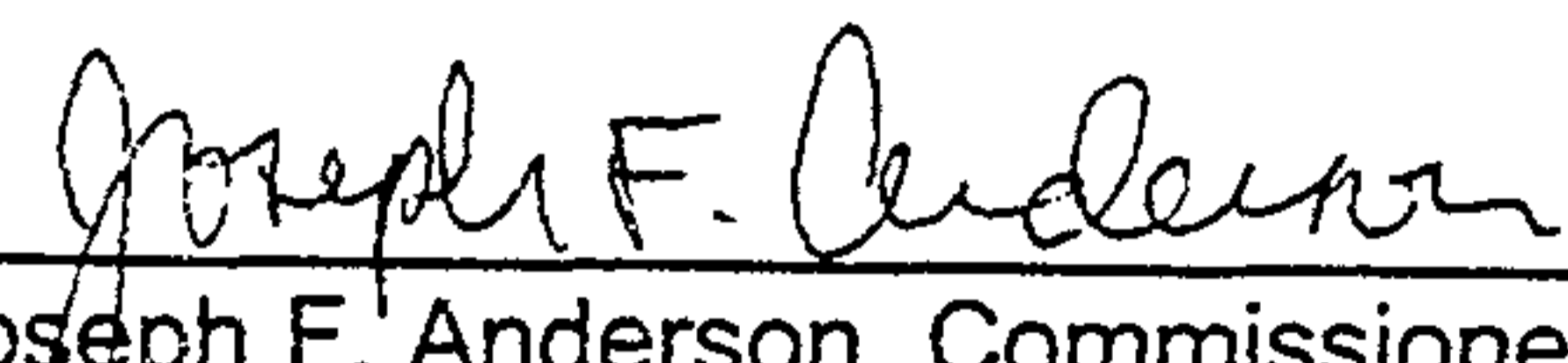


Patrick B. Murphy,
Acting County Attorney

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



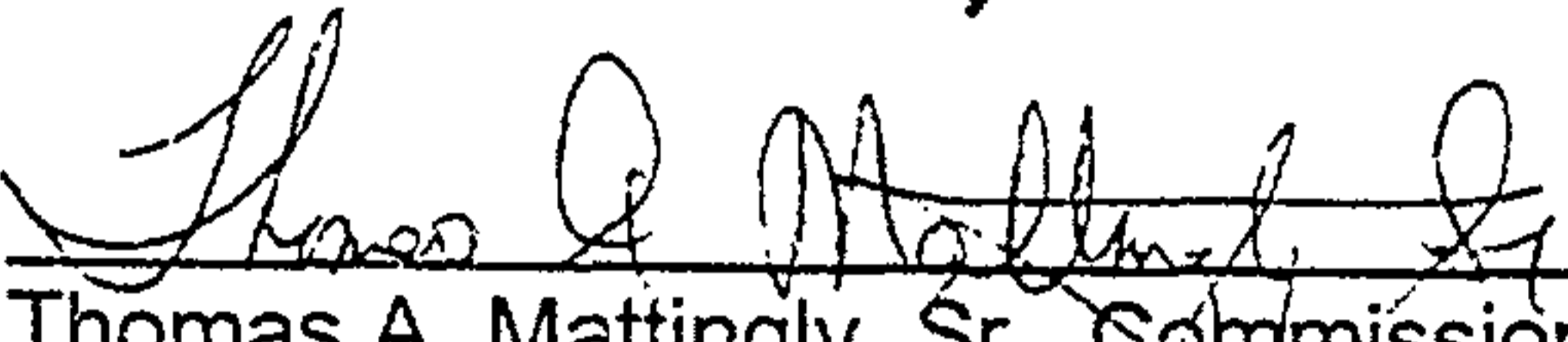
Julie B. Randall, President



Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

BOOK 0017 PAGE 0032

ORDINANCE

FOR THE PURPOSE OF AMENDING THE ST. MARY'S COUNTY BUILDING CODE, ARTICLE II, SECTIONS 203-11 AND 203-12 OF THE CODE OF PUBLIC LOCAL LAWS OF ST. MARY'S COUNTY TO INCLUDE CHANGES MADE BY BOCA 1996 AND CABO 1995 AND TO PROVIDE FOR THE SEVERABILITY OF INVALID PROVISIONS AND TO ADDRESS THE CONTROLLING PROVISIONS IN THE EVENT OF CONFLICT

RECORDING FEE 0.00
TOTAL 0.00
Res#9803 Rpt#999999
EMA TLC BUN#1276
Oct 19, 2000 02:48 PM

RECITALS

WHEREAS, Article 25, §10D of the Annotated Code of Maryland allows the Board of County Commissioners for St. Mary's County to adopt, amend and enforce a building code to provide for the construction, maintenance and repair of any and all buildings and structures located or to be located in St. Mary's County; and

WHEREAS, on August 17, 1973, the Board of County Commissioners adopted and implemented Ordinance No. 73-25, as Article I, General Provisions, which was codified in the Code of Public Local Laws of St. Mary's County, Section 203-1, *et seq.*, being Article 19 of the Public Local Laws of Maryland, Section 203-1, *et seq.*; and

WHEREAS, on June 14, 1994, the Board of County Commissioners for St. Mary's County adopted and implemented Ordinance 94-08, as Article II, Minimum Regulations, which was codified in the Code of Public Local Laws of St. Mary's County, Section 203-11, being Article 19, Section 203-11 of the Code of Public Local Laws of Maryland; and

WHEREAS, the Board of County Commissioners for St. Mary's County amended Section 203-1, *et seq.* of the Code of Public Local Laws of St. Mary's County, being Article 19, Section 203-1, *et seq.* of the Public Local Laws of Maryland, to adopt CABO One and Two Family Dwelling Code, (1992), and BOCA National Building Code, (1993), with certain local modifications, as the Building Code of St. Mary's County, Maryland by Ordinance No. 95-42 on October 3, 1995; and

WHEREAS, the St. Mary's County Building Code Appeals Board on November 30, 1999 voted to recommend to the Board of County Commissioners for St. Mary's County, Maryland that the BOCA National Building Code, 1996 edition and the CABO One and Two Family Dwelling Code, 1995 edition be adopted with certain local modifications; and

WHEREAS, the Board of County Commissioners for St. Mary's County held a public hearing on June 6, 2000, pursuant to Article 25, Section 3(r) of the Annotated Code of Maryland, pursuant to notice published in The Enterprise a local newspaper of general circulation in St. Mary's County, on May 19, 2000 and May 26, 2000 relevant to the within proposed amendments to the Building Code of St. Mary's County, Maryland; and

WHEREAS, the Board of County Commissioners for St. Mary's County has determined that the local amendments recommended by the St. Mary's County Building Code Appeals Board would better serve and protect the citizens of St. Mary's County, as well as the contractors involved in such construction.

NOW THEREFORE, BE IT ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, that after due consideration and

deliberation, that Article II, Section 203-11 of the Code of Public Local Laws of St. Mary's County, being Article 19, Section 203-11 of the Code of Public Local Laws of Maryland be repealed and reenacted to adopt: (1) the BOCA National Building Code, 1996 edition with certain local modifications as noted herein, to replace and supersede the 1993 BOCA National Building Code; and (2) the CABO One and Two Family Dwelling Code, 1995 edition with certain local modifications as noted herein, to replace and supersede the 1992 CABO One and Two Family Dwelling Code; collectively, as the Building Code for St. Mary's County, Maryland, (the "Building Code"), for the construction, maintenance, modification and repair of buildings and structures as herein provided; and each and all of the regulations, provisions, conditions and terms of said codes are hereby referred to, adopted and made part hereof as if fully set out in Article II of Section 203 of the Code of Public Local Laws for St. Mary's County subject to certain special provisions as set forth below; and

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, that, upon due deliberation of the comment of the public and staff, Section 203-12 of the Code of Public Local Laws of St. Mary's County be repealed, and that the following provisions be adopted and enacted as Section 203-12 of the Code of Public Local Laws of St. Mary's County as they pertain to the BOCA National Building Code, 1996, and the CABO One and Two-Family Dwelling Code, 1995, and shall apply and shall supercede any contrary provisions in the Building Code as otherwise adopted;

For the BOCA National Building Code, 1996, the modifications described below to the following listed provision, together with the effect(s) of such changes beyond the listed provision, are hereby adopted:

101.1 Title: insert "St. Mary's County"

107.1.1 Repairs: delete "; nor shall... or mechanical"

Insert 107.1.2 Exemptions: Agricultural buildings (see § 202.0 for definition) are exempt from this code. Retaining walls and other site work structures, which serve landscape functions only, are exempt from this code. Detached accessory structures (per Zoning Ordinance definition), provided the total floor area does not exceed 300 square feet and is not in the flood plain, are exempt from this code.

107.4 Description of work: delete "provisions for special inspections required by § 1705.0,"

107.6 Site plan: after "...site plan" insert "per Zoning Ordinance requirements or a plot plan dimensioned or drawn to scale showing", delete "showing to scale" and ", the established...survey"

107.6.1 Private sewage disposal system: delete this section

107.9 Time limitation of application: delete "six months", insert "twelve months"; delete "or more extensions of time for additional periods not exceeding 90 days each", insert "twelve month extension"

108.2 Suspension of permit: delete "six months", insert "twelve months"; delete "six months", insert "twelve months"

108.3 Previous approvals: delete "or otherwise...with dispatch." insert "providing that permit is still valid, has not expired, nor been revoked. Any construction that took place while the permit was valid shall not be required to conform to this code providing that which was previously built complies with the code that was in effect while the permit was valid."

108.8 Posting of permit: delete "A true copy of the building permit", insert "A building

permit placard, provided by the code official.”

108.9 Notice of start: delete this section

109.0 Temporary structures

109.1 General: delete “Pursuant...appeals.”, insert “The code official shall issue a permit for temporary construction in accordance with § 3104.1.1.”

110.0 Demolition of structures

110.1 Service connections: after “...utilities having” insert “and agencies governing”; delete “A permit...manner.”, insert “A letter from appropriate agencies certifying respective service connections and appurtenant equipment, such as meters and regulators, well and septic connections, water and sewer connections, liquid and gas fuel tanks, shall be removed or sealed and plugged in a safe manner.”

110.2 Notice to adjoining owners: delete all text and insert “A demolition permit placard, provided by the code official, shall be kept on the site of the demolition, open to public inspection during the entire time of prosecution of the work and until the completion of the same.”

112.0 Fees

112.3.1 Fee schedule: delete “plan examination” and “the following schedule” and insert a “user fee schedule adopted by the Board of County Commissioners.”

112.5 Refunds: delete text and insert “Requests for refunds shall be processed in accordance with a refund policy approved by the Board of County Commissioners.”

116.4 Violation penalties: delete “guilty of...and imprisonment” and insert “subject to a civil violation and/or citation enforcement pursuant to the County Municipal Infraction System”

117.2 Unlawful continuance: delete “liable to...more than (amount) and insert “subject to a civil violation and/or citation enforcement pursuant to the County Municipal Infraction System”

121.0 Means of appeal

121.2.1 Qualifications: delete “one from each of” and insert “from any of”

2. delete “structural”

121.2.2 Alternate members: delete this section

202.0 General definitions

Agricultural building: delete “utilized to...general public (see § 312.0).” and insert “which meets the Zoning Ordinance definition of an agricultural building”.

305.1.1 Day care facilities: delete “five persons more than 2 ½ years of age” and insert “eight persons 2 years of age or more”

308.3.1 Child care facility: delete “five children 2 ½ years of age or less” and insert “eight children less than 2 years of age”.

310.4.1 Dormitories: delete “five persons more than 2 ½ years of age” and insert “eight

persons 2 years of age or more".

310.4.2 Townhouses: A single family dwelling unit constructed in a horizontal series of attached units with a property line separating the units shall be classified as Use Group R-2

310.4.3 Duplexes: A multiple-family dwelling having two attached dwelling units shall be classified as Use Group R-2.

413.0 Special amusement buildings

413.1 General: delete "shall...section" and insert "as described in § 413.2 shall provide a certificate of approval by an approved agency and comply with all provisions of state and county plumbing and electrical codes".

904.4 Use Group E: Delete the 20,000 square foot exception.

904.7 Use Group M, S-1 and F-1: Revise Subparagraph 2 to read "12,000 square feet" vice "24,000 square feet".

904.7.1 Use Group B: Where a Use Group B fire area is more than 12,000 square feet an automatic fire suppression system shall be provided.

Chapter 11 Accessibility delete all sections and insert "Maryland Accessibility Code, COMAR 05.02.02

Chapter 13 Energy conservation

1301.0 General

1301.1 Scope: insert "Exception: Buildings, or portions thereof, which are neither heated nor cooled or which utilize an energy source other than natural gas, a petroleum product or electricity are exempt from this chapter."

1705.0 Special Inspections

1705.1.1 Building permit requirement: delete this section

1705.1.2 Report requirement: delete this section

1806.1 Frost protection: after "frost line of the locality," insert "which is hereby designated as 20 inches below finished grade to bottom of footing,"

Chapter 27 Electric wiring, equipment and systems

2701.0 General

2701.1 Scope: delete "NFPA 70 listed in Chapter 35." And insert "The St. Mary's County Electrical Code."

2701.2 Exceptions: delete this subsection including 2701.2.1 through 2701.2.4

2703.0 Permit and certificate of inspection delete entirely

2705.0 Temporary use delete entirely

2708.0 Existing installations delete entirely

Chapter 28 Mechanical systems

2801.0 General

2801.2 Mechanical code: delete "listed in Chapter 35" and insert "adopted by the State of Maryland"

2802.0 Construction documents

2802.1 General: delete entirely

2802.3 Details: delete entirely

2803.0 Fees delete entirely

2804.0 Inspection and tests

2804.1 Inspection: delete entirely

2804.2 Concealment: delete entirely

2804.3 Defects and repairs: delete entirely

2809.0 Existing buildings

2809.1 Unsafe orders: delete "listed in Chapter 35" and insert "adopted by the State of Maryland"

Chapter 29 Plumbing systems

2901.0 General

2901.1 Scope: delete "plumbing code listed in Chapter 35" and insert "St. Mary's County Plumbing Code"

2902.0 Construction documents

2902.1 Required: delete entirely

2902.3 Exemptions: delete entirely

2903.0 Sewer and water supply data delete entirely

2904.0 Permits and certificates of approval delete entirely

2905.0 Water supply systems delete entirely

2906.0 Private sewage disposal delete entirely

2907.0 Plumbing fixture surrounds delete entirely

2908.0 Existing buildings and installations delete entirely

3102.0 Signs delete entirely

3104.0 Temporary structures

3104.1 General: after "...period of" insert "more than fourteen days and"

3407.0 Moved Structures

3407.1 Compliance: insert "Foundations constructed for and alterations made to" structures moved into or within the jurisdiction shall comply with the provisions of this code for new structures...

3408.2 Applicability: insert "March 5, 1990"

For the CABO One and Two-Family Dwelling Code, the modifications described below to the following listed provision, together with the effect(s) of such changes beyond the listed provision, are hereby adopted:

111.1 Permit required. delete "and do not include...official", insert "Exceptions: Work exempt from permits shall include but not be limited to 1) Detached accessory structures (as defined by the Zoning Ordinance), provided the total floor area does not exceed 300 square feet; 2) Fences; 3) Retaining walls that are for landscape purposes only; 4) Sidewalks and patios not more than 30 inches above adjacent grade and not over any basement or story below; 5) Painting, papering, tiling, carpeting, cabinets, counter tops and similar finish work; 6) Temporary structures erected for two weeks or less; 7) Swimming pools which are less than 24 inches deep; 8) Shade cloth structures; 9) Swings and other playground equipment accessory to the dwelling; 10) Window awnings supported by an exterior wall; and 11) Replacement of existing or installation of new exterior weatherization such as siding, brick and stone veneer, roof paper, shingles and membranes. Also window and door replacements that are of identical size so as not to require that the rough openings be altered in any way.

111.3 Expiration. delete "six months" and "six months" and insert "twelve months" and "twelve months"

111.3.1 Permit extension. delete "six-month extension,...date" and insert "twelve-month"

111.3.2 Permit renewal. delete entirely

112.1 Plans required. after "drawn to scale" insert "or dimensioned", delete "all easements, drainage facilities, adjacent grades,", insert "A floor plan shall be provided to show room locations and uses."

113 Inspection

113.1.1 delete text and insert "Footing inspection. To be performed prior to pouring concrete to verify depth, width, soil bearing capacity, reinforcement and location on lot for all structures and buildings. Exception: swimming pools."

113.1.2 delete entirely and insert "Slab inspection. To be performed prior to concrete pour on all slabs for "habitable" spaces and all basements to verify base preparation, reinforcement, drainage systems and insulation."

113.1.3 delete entirely and insert "Foundation inspection. To be performed on all foundation walls prior to back-filling to verify drainage and waterproofing systems. Also to be performed on all foundations in the regulated floodplain to verify compliance with NFIP and FEMA standards."

113.1.4 delete entirely and insert "Framing inspection. To be performed after all plumbing, mechanical and electrical work has been "roughed-in", all interior framing, fire stopping, and exterior doors and windows have been installed and structure is weather tight. Exception: decks and detached accessory structures without plumbing or electric on the condition that all framing will be visible at the time of final inspection."

113.1.5 delete entirely and insert "Insulation inspection. To be performed when all insulation, vapor barriers, caulking, and weather-stripping are in place. Exception: structures which are exempt from the requirements of § 119 and Appendix E."

113.1.6 Final inspection after "building" insert "and all construction", after "occupancy." insert "Proper posting of E-911 address is to be verified at this time."

114 Pre-fabricated construction

NOTE: insert "The provisions contained in Appendix A are specifically adopted hereby with the following amendments:"

A301 Permits delete entirely

A302 Application for permit delete entirely

A303 Permits issuance delete entirely

A304 Fees delete entirely

A305 Inspections delete entirely

A306 Special inspections delete entirely

A307 Utility service delete entirely

A502 Foundation systems

A502.3 Footings and foundations. delete "12 inches" and insert "20 inches"

A602 Pier construction

Insert "4. A minimum 16 inch x 16 inch pier comprised of drystacked 8 inch x 16 inch masonry units placed side by side in alternating courses not to exceed a height of 36 inches above finished grade.

115 Swimming pools, spas and hot tubs.

115.1 General. delete "only...jurisdiction" and insert with the following amendments:

D105 Barrier requirements

D105.2 Outdoor swimming pool. delete "Where a wall of a dwelling serves as part of the barrier one of the following conditions shall be met:"

9. delete entirely

9.1 delete "shall" and insert "may", delete "; or" and insert "in lieu of a barrier as described

in Items 1. through 8. above.”

9.2 delete entirely

9.3 delete entirely

D105.3 delete entirely

D105.4 delete entirely

116 delete “Inspection card” and insert “Permit placard”

116.1 delete “Record” and insert “Placard”, delete “inspection record” and insert “permit placard”, delete “to allow...approved”

119 Energy conservation

119.1 General. delete “enforceable...jurisdiction” and insert “enforced”, insert “Exception: Buildings, or portions thereof, which are neither heated nor cooled or which utilize an energy source other than natural gas, a petroleum product or electricity are exempt from this section.”

301 Design criteria

Table 301.2a insert “20” for Roof Snow Load, insert “apply basic wind speed of 80 mph to table 301.2b” for Wind Pressure, insert “1” for Seismic Condition By Zone, insert “severe” for Weathering, insert “yes, 20 inches” for Frost Line Depth, insert “moderate to heavy” for Termite, insert “slight to moderate” for Decay, insert “18 degrees F” for Winter Design Temp. for HTG. Facilities, insert “NO” for Radon-Resistant Construction Required.

303.4 Stairway illumination. replace with “per St. Mary’s County Electrical Code”

303.4.1 Light activation. replace with “per St. Mary’s County Electrical Code”

306 Sanitation. Replace with “per St. Mary’s County Plumbing and Gas Code”

308 Glazing

308.4 Hazardous locations.

Exception: delete item 5. entirely

309 Garages

312 Landings

312.1 General delete “an egress door” and insert “the required exit door described in § 311 above

314 Stairways

314.2 Treads and risers. delete text and insert text from CABO/1992 R-213.1

314.2.1 Profile delete entirely

314.4 Winders. delete text and insert text from CABO/1992 R-213.2

314.5 Spiral stairs. delete text and insert text from CABO/1992 R-213.3

314.6 Circular stairways. delete "10 inches" and insert "9 inches"

314.7 Illumination. replace with "per St. Mary's County Electrical code"

315 Handrails and guardrails

315.2 Handrail grip size. delete "Handrails" and insert "Interior handrails", after "2 ¼ inches." insert "Exterior handrails may have a maximum dimension of nominal 2x8 lumber."

316 Smoke detectors

316.1.1 Alterations, repairs and additions. delete entirely

316.2 Power source. delete entirely

320.2 Townhouses. delete entirely

320.2.1 Continuity. delete entirely

320.2.2 Parapets. delete entirely

320.2.3 Structural independence. delete entirely

321 Moisture vapor retarders

Exceptions: delete entirely

401.3 Drainage. delete "Surface...hazard."

403 Footings

403.1 General. after "exterior walls" insert "bearing walls, columns and piers"

Figure 403.1b delete "½" per foot minimum 6'" and insert "6'" within the first 10'"

Figure 403.1c delete "½" per foot minimum 6'" and insert "6'" within the first 10'"

405 Foundation drainage

405.2.3 Drainage system. delete "In other...soils" and insert "When gravity drainage to daylight is unachievable", delete "sewer" and insert "storm drainage"

406 Foundation waterproofing and damp proofing

406.2 Concrete and masonry foundation waterproofing. delete "In areas...exist," and insert "All"

406.3.5 Final grading. delete "of one-half...from the house." and insert "in accordance with § 401.3."

502 Floor framing

502.1 General. insert "Exception: the grade mark or certificate is not required for owner occupied construction on the condition that the lumber is cut full size and complies with all other provisions of this code."

602 Wall framing

602.1 Identification. insert "Exception: the grade mark or certificate is not required for owner occupied construction on the condition that the lumber is cut full size and complies with all other provisions of this code."

802 Roof framing

802.1 Identification and grade. insert "Exception: the grade mark or certificate is not required for owner occupied construction on the condition that the lumber is cut full size and complies with all other provisions of this code."

Chapter 11 Mechanical administration

1101.1 Scope. delete "and the...thereto"

1101.2 Application. delete entirely

1101.3 Conformity. delete "Chapter 47" and insert "the Maryland HVACR Code"

Delete other mechanical **Chapters 12 through 28** entirely

Chapter 29 Plumbing administration

2901.1 Scope. delete text and insert "The St. Mary's County Plumbing Code shall govern plumbing systems"

2901.2 Application. delete entirely

2902 Existing plumbing systems delete entirely

2903 Inspection and tests delete entirely

Delete other plumbing **Chapters 30 through 37** entirely

Chapter 38 Private sewage disposal delete entirely

Chapter 39 delete "General requirements" and insert "Electrical administration"

3901.1 Applicability. delete entirely

3901.2 Scope. delete text and insert "The St. Mary's County Electrical Code shall govern electrical systems.", delete remaining sections of this chapter and delete **Chapters 40 through 46** entirely.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, that, upon due consideration and deliberation, and, upon the recommendation of the St. Mary's County Building Code Appeals Board, that the following provision be adopted as Section 203-13 of the Code of Public Local Laws of St. Mary's County:

Section 203-13. Severability

In the event any portion of this Chapter 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 for St. Mary's County to sever only the invalid portion or provision, and that the remainder of the Chapter 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 for St. Mary's Count in enacting this Chapter.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, that, upon due consideration and deliberation, and, upon the recommendation of the St. Mary's County Building Code Appeals Board, that the following provision be adopted as Section 203-14 of the Code of Public Local Laws of St. Mary's County:

Section 203-14. Conflict

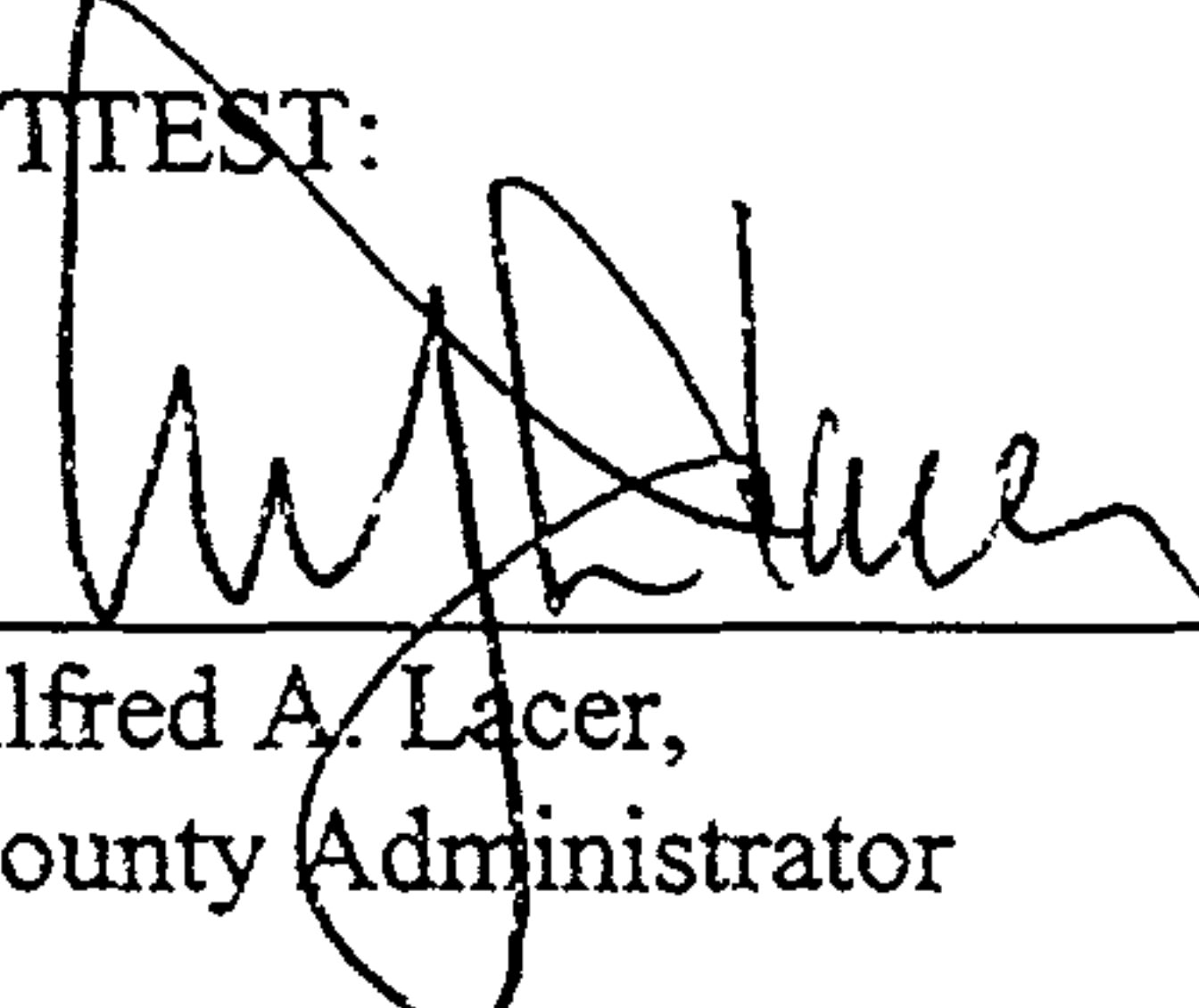
Where there shall be any conflict between the Building Code and any other federal, state or county laws, rules, regulations, or ordinances, the more strict law, rule, regulation or ordinance shall be applicable.

ADOPTION OF SUBSEQUENT EDITIONS/AMENDMENTS. The Board of County Commissioners shall from time to time as necessary adopt and implement revisions to the BOCA National Code and CABO One and Two Family Dwelling Code.

DATE OF ADOPTION: 10/17/00

EFFECTIVE DATE: 01/01/01

ATTEST:



Alfred A. Lacer,
County Administrator

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

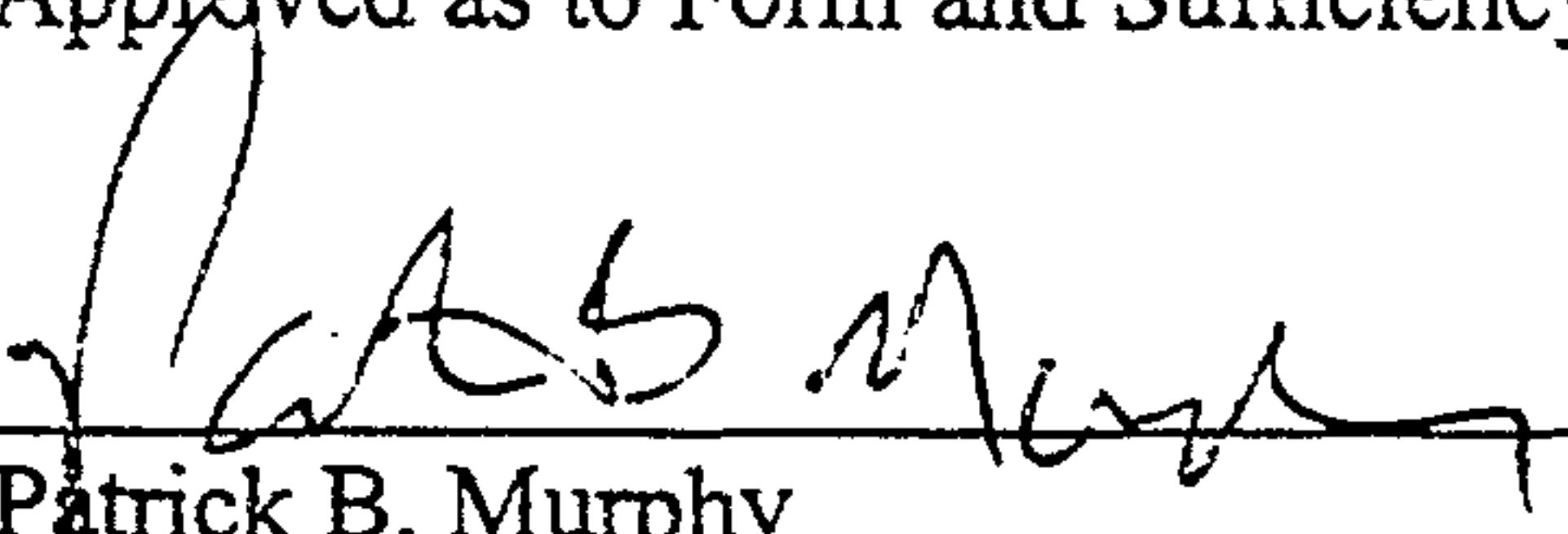


Julie B. Randall, President



Joseph F. Anderson, Commissioner

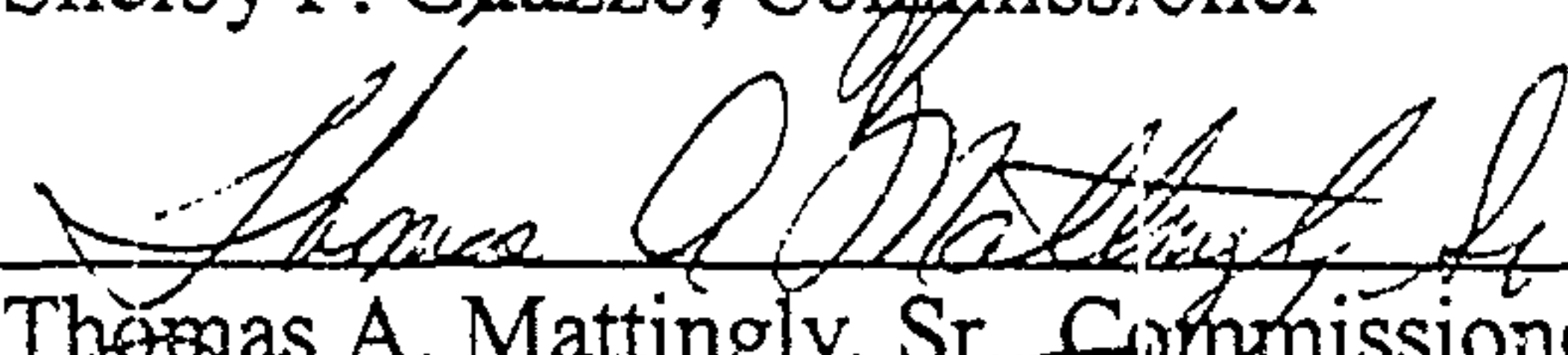
Approved as to Form and Sufficiency:



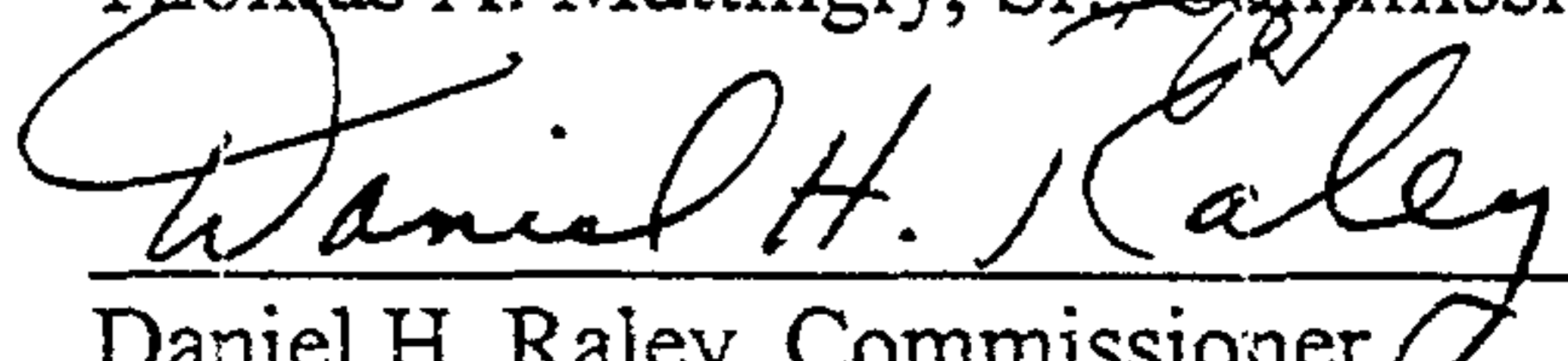
Patrick B. Murphy
Acting County Attorney



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

BOOK 0017 PAGE 0043

Subject: Lexington Park Senior Apartments
Payment in Lieu of Municipal Real
Property Taxes

A RESOLUTION TO SET AND ACCEPT PAYMENT IN LIEU OF PROPERTY TAXES FOR THE LEXINGTON PARK SENIOR APARTMENTS

RECITALS

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, recognizes that there is a significant need for decent, safe and sanitary housing in St. Mary's County for seniors of low or limited incomes; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, has adopted an Affordable Housing Plan which provides for the production of affordable housing through the year 2003; and

WHEREAS, the Lexington Park Senior Housing, L.P., a Maryland Limited Partnership, proposes to construct and operate a rental housing development comprised of approximately 110 one and two bedroom apartments, known as Lexington Park Senior Apartments, (the "Project"), located on Peggs Road, Lexington Park, Maryland; and

WHEREAS, Section 7-505 of the *Tax-Property Article* of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners for St. Mary's County to accept a negotiated amount in lieu of the applicable county property tax for certain projects meeting the requirements of that Section; and

WHEREAS, the Lexington Park Senior Housing, L.P., has warranted and represented to this Board that the Project shall conform to the requirements and qualifications of Section 7-505 of the *Tax-Property Article* of the Annotated Code of Maryland for a payment in lieu of property taxes, the same being Exhibit A hereto and incorporated herein by reference.

NOW, THEREFORE, BE IT RESOLVED, By the Board of County Commissioners for St. Mary's County, Maryland, that:

- (1) A payment in lieu of municipal real property taxes, being the greater of: (i) 1.8% of the gross rental income, including governmental subsidies; (ii) Fifteen Thousand Dollars, (\$15,000.00); or (iii) Forty Thousand Dollars less than the municipal property tax that would otherwise be levied upon the property, shall be accepted on or after July 1 for Years One through Twenty, Year One being fiscal year 2002; and
- (2) The amount due as a payment in lieu of municipal real property taxes shall be based upon an audited financial report that shall be provided the County Commissioners for St. Mary's County, Maryland by Lexington Park Senior Housing, L.P., its successors or assigns, and shall include, at a minimum, the gross rental income, including governmental subsidies, of the Project and an assessment of the real property and improvements constituting the Project for the previous calendar year; said audited financial report being due not later than March 31; and
- (3) This agreement to accept payment in lieu of municipal real property taxes set forth above may be rescinded if, at any time, the Lexington Park Senior Housing, L.P., its successors or assigns to the Project, fail to: (1) provide the audited financial report identified above in a timely manner; or (2) pay the requisite payment in lieu of municipal real property taxes within thirty, (30), days of becoming due; or (3) conform to the requirements and qualifications of Section 7-505 of the *Tax-Property Article* of the Annotated Code of Maryland, as amended from time to time; and
- (4) Nothing contained herein shall abate, reduce or otherwise affect any other taxes upon the property upon which the Project is located, including, but not limited to, any fire taxes.

00:11 0002 400 170
 00:30 2000 11:00
 EWA LP 01441862
 RESOLVED 00:11:00
 00:00
 00:00
 RECORDING FEE
 TOTAL

Subject: Lexington Park Senior Apartments
Payment in Lieu of Municipal Real
Property Taxes

BOOK 0017 PAGE 0044

AND IT IS FURTHER RESOLVED, that this Resolution shall take effect from the date set forth below as the "Effective Date."

Those voting Aye: 12/1/00

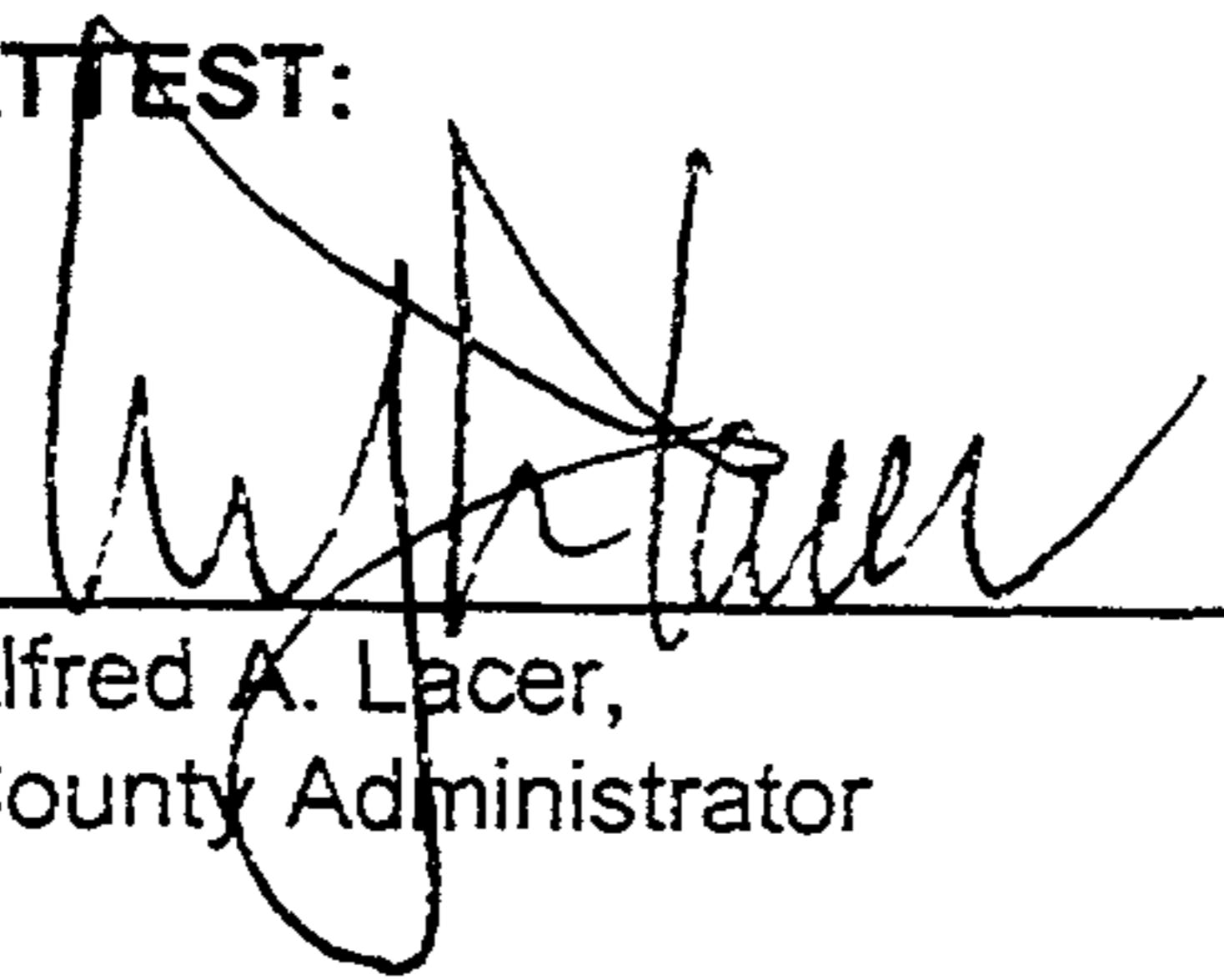
Those voting Nay: _____

Those Absent: _____

ADOPTED: 12/1/00

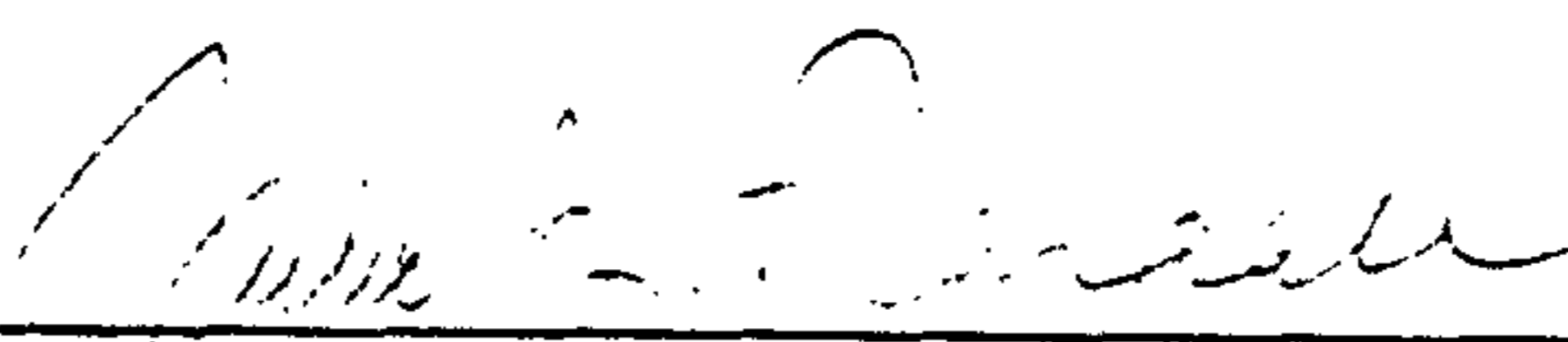
EFFECTIVE DATE: 12/1/00

ATTEST:



Alfred A. Lacer,
County Administrator

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

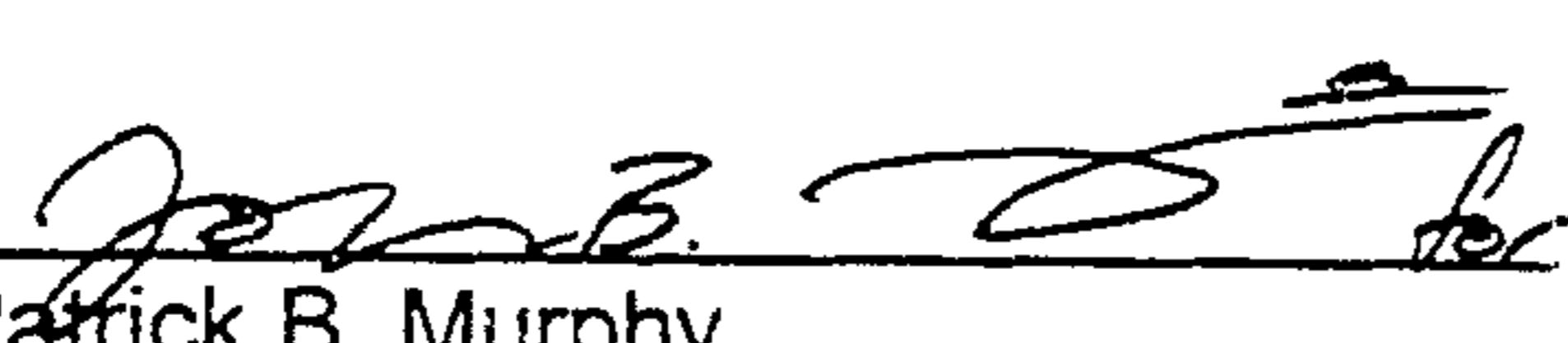


Julie B. Randall, President



Joseph F. Anderson, Commissioner

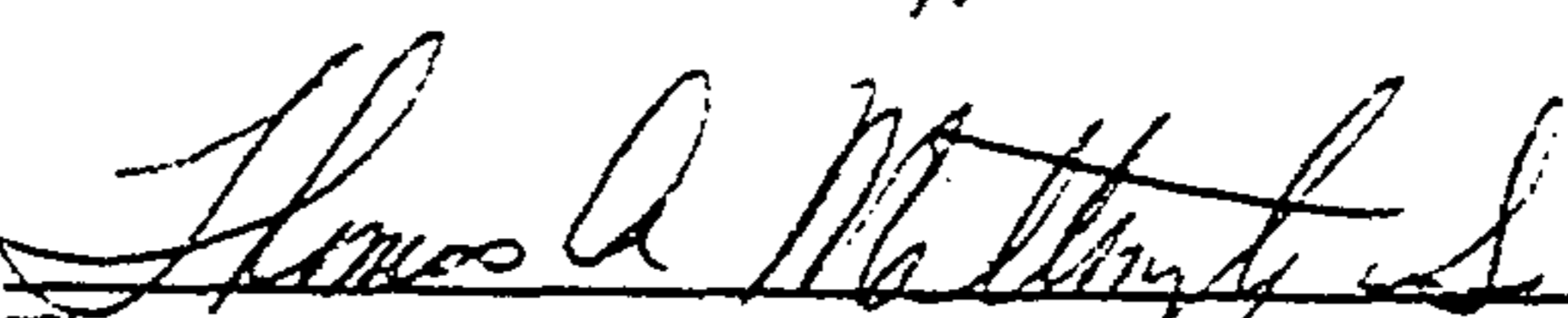
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



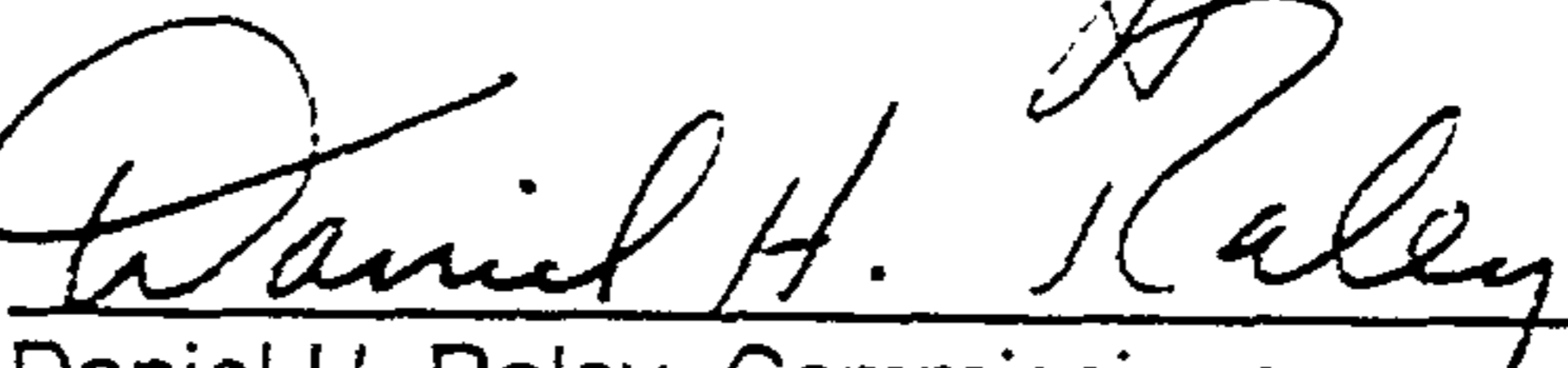
Patrick B. Murphy,
Acting County Attorney



Shelby P. Grazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

TO: TOM HARMON

301-863-2984

R. H. Tourtelot Company

September 17, 1998

Mrs. Barbara Thompson
President
Board of County Commissioners
St. Mary's County
P.O. Box 653
Leonardtown, Maryland 20650

BOOK 0 17 PAGE 0 45

Re: Lexington Park Senior Housing

Dear Commissioner Thompson:

You will recall that I was before the Board of County Commissioners on the 1st day of September, 1998 for a presentation of the referenced project, which is a planned residential apartment complex for senior citizens to be located on Peggs Road in Lexington Park. An application for financing through the State of Maryland Department of Housing and Community Development has been submitted.

An issue discussed at the meeting on September 1 was that of an agreement to a payment in Lieu of real estate taxes. Douglas Durkin, County Attorney, was present at our meeting. He was asked to research the law in concert with my counsel to determine if a statutory provision exists for a negotiated payment in lieu of real estate taxes for projects such as that which is proposed.

I contacted Leonardtown attorney, J. Ernest Bell, II on the matter. He has concluded that Section 7-705 of the Tax Property Article of the Annotated Code of Maryland and possibly Section 9-219 of the same Article address the subject. The property as proposed appears to fit within the provisions of Section 7-705.

I am requesting that the County consider a payment in lieu of real estate taxes of \$15,000.00 per annum for a ten year period, commencing with the tax year beginning July 1 following issuance of a Certificate of Occupancy. This proposal is limited to the payment in lieu of real estate taxes as provided for in law for projects as that proposed.

Impact fees, transfer taxes and recordation taxes will be assessed and paid as required by law.

I respectfully ask that consideration be given to what is proposed. The \$15,000.00 amount is built into the financial feasibility of the project.

Very truly yours,


Cliff Stapperton V. President
R. H. Tourtelot Company

- cc. Douglas Durkin
County Attorney Fax 301 475-4489
- John Kachner
County Administrator Fax 301 475-4935
- Dennis Nickelson
Housing Director Fax 301 475-4402

196 Technology Drive Suite B Irvine, Ca 92618 Phone 949 450-1113 Fax 949 450-1114

Exhibit A

JOSEPH ERNEST BELL, II
ATTORNEY AT LAW
4000 COUNTY HOUSE DRIVE
P. O. BOX 362
LEONARDTOWN, MARYLAND 20650

BOOK 0017 PAGE 0046

TELEPHONE AREA
301-479-2129

TELEPHONE OFFICE
301-479-8421
301-479-2461
FAX 301-479-9889

September 21, 1998

Mrs. Barbara R. Thompson
President
Board of County Commissioners
St. Mary's County
P. O. Box 653
Leonardtown, Maryland 20650

Re: Lexington Park Senior Housing Project

Dear Commissioner Thompson:

This is in follow up to a letter sent to you on September 17, 1996 by Cliff Singleton in regard to the above referenced. The wrong section of the Code was quoted. The correct section of the Code is 7-505. The referenced project qualifies for payment of a negotiated amount in lieu of real estate taxes under Section 7-505 of the Tax Property Article of the Annotated Code of Maryland.

Lexington Park Senior Housing Partners, a Maryland Limited Partnership, is the project owner. The members of the partnership are actively engaged in both constructing and operating affordable senior housing structures. The partners have to date constructed in excess of three thousand affordable housing units in eight different states.

The real estate to be utilized is located on Pegg Road in Lexington Park. The construction is to be financed with State of Maryland issued tax exempt revenue bonds insured by the Federal Housing Administration.

The structure and facilities to be located on the real property will be governmentally controlled by the Maryland Department of Community Housing as to rents, charges, rates of return and methods of operation so that the real property operates on a limited distribution basis.

Very truly yours,

Joseph Ernest Bell, II
Joseph Ernest Bell, II

JEB,II/lw
cc. John J. Rachtmar
County Administrator

Douglas Durkin
County Attorney

§ 7-505. Same — Governmentally subsidized rental housing.

(a) *Requirements for exemption.* — (1) In this subsection, "service facilities" includes nondwelling commercial and community facilities, community rooms, dining halls, and infirmaries.

(2) Except in Baltimore City, real property is exempt from county and municipal corporation property tax if:

(i) the real property is owned by a person engaged in constructing or operating housing structures or projects;

(ii) the real property is used for a housing structure or project that:

1. is constructed or substantially rehabilitated under a federal, State, or local government program that:

A. funds construction or insures its financing; or

B. provides interest subsidy, rent subsidy, or rent supplements;

and

2. is substantially completed after July 1, 1978;

(iii) the structures and facilities of the real property are governmentally controlled as to rents, charges, rates of return, and methods of operation so that the real property operates on a nonprofit or limited distribution basis; and

(iv) the owner and the governing body of the county and, where applicable, municipal corporation where the real property is located agree that the owner shall pay a negotiated amount in lieu of the applicable county and municipal corporation property tax.

(3) If the structure and facilities of the real property are used predominantly for residential purposes, the real property may contain service facilities to serve its occupants and the surrounding neighborhood.

(b) *When exemption begins.* — Real property described in subsection (a) of this section is exempt when the requirements of subsection (a) of this section are met. (An. Code 1957, art. 81, § 9; 1985, ch. 8, § 2.)

§ 7-506. Same — Governmentally subsidized housing in Baltimore City.

(a) *Requirements for exemption.* — (1) In this subsection, "service facilities" includes nondwelling commercial and community facilities, community rooms, dining halls, and infirmaries.

(2) In this subsection, "urban renewal area":

(i) means an urban renewal project that is acquired and disposed of by the Mayor and City Council of Baltimore City under the Baltimore City Charter, Article II (15); and

(ii) does not include the Madison Park North, the Madison Park South, and the Mount Vernon projects.

(3) Real property is exempt from Baltimore City property tax if:

(i) the real property is located in an urban renewal area;

(ii) the real property is owned by a person engaged in constructing and operating housing structures or projects; and

Minutes of Meeting on

7-506.2

PURPOSE

RECORDING FEE 0.00
 TOTAL 0.00

FOR THE PURPOSE of creating and establishing the Rodo Beach Road Improvement Special Taxing District for the landowners within the District whereby a project involving construction, realignment and upgrading of the District may be undertaken by the Department of Public Works for the purpose of establishing the district boundaries, benefited properties and an estimate of the construction work involved to repay to the Board of County Commissioners, acting as District Council, the cost of improvements over a period not to exceed twenty (20) years.

Rest#5463 Rert#999999
 EWA PL 01/14/2001
 Nov 29, 2000 10:47 am

ORDINANCE

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, are authorized and empowered under the provisions of the Code of Public Local Laws of Maryland, Article 19 (*St. Mary's County*), §109-2(D), and codified as the Code of St. Mary's County, Section 109-2(D), to construct and improve private roads, via road improvement taxing district, after the approval of a petition of a majority of the property owners whose property benefits from said improvements; and

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland act as District Council pursuant to Code of Public Local Laws of Maryland, Article 19 (*St. Mary's County*), §109-1, *et seq.*, and codified as the Code of St. Mary's County, Section 109-1, *et seq.*;

WHEREAS, the Board of County Commissioners, acting as District Council, have been petitioned by a majority of the property owners owning property on Lake Drive, Pizzant Lane, part of Chesapeake Bay Drive, and part of Beach Drive, as shown on the map attached as Exhibit "A", incorporated herein by reference, which is located in the First (1st) Election District of St. Mary's County, and which portions are also depicted in part on plats of a subdivision entitled "Rodo Beach," the same being recorded among the Land Records of St. Mary's County, Maryland, at Liber 3, Folio 75; Liber 4, Folio 43; Liber 5 Folio 99; and Liber 15, Folio 69;

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland, held a public hearing on October 3, 2000 pursuant to Article 25, Section 3(r) of the Annotated Code of Maryland and Section 109-2(d)(2) of the Code of St. Mary's County, pursuant to notice published in The Enterprise, a newspaper of general circulation in St. Mary's County, on September 13, 2000 and September 20, 2000, in order to consider the petition presented and to hear public comments concerning creation of the proposed special taxing district, and construction of the roadbed and drainage systems relevant to the terms and conditions set forth in said petition, and set forth below;

WHEREAS, the Board of County Commissioners for St. Mary's County have determined that at least a majority of the owners of real property that will benefit specially from the proposed improvements set forth herein have executed the aforementioned petition in favor of the creation of the proposed special taxing district, and construction of the roadbed and drainage systems relevant to the terms and conditions set forth in said petition, and set forth below; and

WHEREAS, the Board of County Commissioners for St. Mary's County has determined that the lots and parcels of real property specified herein shall benefit specially from the intended road and drainage improvements, which will allow improved access to those lots and parcels via a dead-end road, not a through-fare that will be used by the public generally, and drain surface water runoff from these lots and parcels and from the roadway; and

WHEREAS, the Board of County Commissioners for St. Mary's County has determined that the amount of the assessment will be substantially equal to the increase in each property's value; and

WHEREAS, upon due consideration of the public and staff, including a counter petition submitted by a minority of owners of property that will specially benefit from the proposed improvements, it is the desire and intent of the Board of County Commissioners for St. Mary's County, Maryland, to approve said majority petition and to establish a road improvement-taxing district in accordance with the provisions and conditions hereinafter set forth.

NOW, THEREFORE, BE IT ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland, this 14th day of November, 2000, that the foregoing Recitals are incorporated by reference, as if set forth in their full text herein; and

BE IT FURTHER ORDAINED by the Board of County Commissioners for St. Mary's County, Maryland, that the petition of the majority of owners of real property that will benefit specially from the proposed improvements set forth herein is hereby accepted and the Rodo Beach Road Improvement Special Taxing District is hereby created and established for the purpose of construction and improvement of said streets for inclusion within the County Highway Maintenance System as follows:

RODO BEACH ROAD IMPROVEMENT SPECIAL TAXING DISTRICT ORDINANCE

SECTION 1. Definitions. For the purpose of this Ordinance only, the following terms and definitions shall apply to this Ordinance and to the Rodo Beach Road Improvement Special Taxing District:

- A. "Property" means any real estate, tract, parcel, lot, or other quantity of land, including any and all improvements, if any, that have been erected or constructed upon or below such land, as depicted on the subdivision plats referenced hereinbefore.
 - 1. In the event of multiple adjoining tracts under common ownership, the several adjacent lots shall be considered as one for voting and assessment purposes provided any vacant lots are insufficient in size to accommodate independent development in accordance with current zoning and subdivision requirements without a variance. In the event any adjoining vacant lot under common ownership is of sufficient size to accommodate such development, such lot shall be considered as separate from the adjoining lot or lots in common ownership. Lots under common ownership on opposite sides of a street to be improved in accordance with this Ordinance shall be deemed separate lots for voting and assessment purposes.
- B. "Property owner" means any and all persons or entities of record holding the primary ownership interest in an individual tract, parcel, lot or other quantity of land located within the boundaries of the proposed taxing district on the date of execution of this Ordinance, including without limitation fee simple ownership interests and conditional or limited ownership interests (such as interests subject to reversionary clauses, defeasible interests and fee-tails), but excluding those persons and entities holding a junior, subservient or equitable interest (such as mortgagees, deed of trust beneficiaries and trustees, installment contract purchasers where the contract is not recorded, mechanic lien claimants, and holders of judgment liens).
- C. "Property owners" refers collectively to each and every property owner within the proposed district.
- D. "Majority" means the "property owners" of at least fifty-one percent

(51%) of any and all "property" located within the district boundaries for purposes of evaluating the written petitions for the creation and establishment of this road special taxing district.

- (1) For purposes of determining whether the majority of the property owners affected have executed the petition, each tract, parcel, lot or other quantity of land shall be considered to have one property owner and one opportunity to execute the petition regardless of the existence of multiple persons or entities holding a primary ownership interest.
- (2) In the event a property owner consists of more than one person or entity, all such persons or entities must execute the petition and for purposes of this ordinance and determining compliance with the "majority of property owners affected" requirement of the Code of the Public Local Laws of Maryland, Article 19 (*St. Mary's County*), §109-2(D)(1), the signature of each and every property owner must appear on the petition(s), endorsing said petition, before that property shall be considered as an affirmative petition request for imposition of the proposed taxing district.

SECTION 2. District Boundaries. The properties found to be specially benefited by this Ordinance are all lots and parcels within Rodo Beach Road Improvement Taxing District, as itemized below as a list of 44 properties, as currently configured, which properties are shown on Tax Map 73 of Rodo Beach located in the First (1st) Election District, a copy of which is attached as Exhibit "A" and incorporated by reference.

A. The following streets, as itemized herein and shown on the aforementioned map of the taxing district boundaries attached hereto shall be constructed and included in the County Highway Maintenance System as public roads to the approximate limits indicated herein:

Construction of Lake Drive, Pizzant Lane, Part of Chesapeake Bay Drive and Part of Beach Drive, for a cumulative, approximate limit of 4,695 linear feet, as shown on the map attached as Exhibit "A".

B. The properties to be specially benefited by the Rodo Beach Road Improvement Taxing District, and to be included within the district, encompass an estimated 44 lots and/or parcels, and are set forth at Section 15, below.

SECTION 3. Scope of Proposed Improvements. The Board of County Commissioners for St. Mary's County shall construct and improve said streets and drainage in accordance with the specifications approved by the Director of Public Works and authorized by the Board of County Commissioners for St. Mary's County.

SECTION 4. Estimate of Capital Improvement Debt Service Levy.

A. The Board of County Commissioners for St. Mary's County, Maryland acting as District Council hereby estimates the following special taxes:

The project cost estimate, including interest, (approximately \$269,216) is \$635,551. The County's predicted share of the project cost is approximately \$63,095, resulting in a total estimated assessment of \$572,456; and

The debt to the aforementioned owners of those properties identified herein is estimated at \$650.52 per property, every year, payable on or before July 1, assuming an interest rate of seven percent (7%) for twenty (20) years. The actual interest rate applied in determining the final payment will be adjusted to coincide with the rate at the time the bonds are sold.

- B. The owners of those properties identified herein shall be responsible for any and all survey and design costs for work performed by consultants retained by the County for this project.
- C. The owners of those properties identified herein shall be responsible for any and all land acquisition and construction costs of the project.
- D. The owners of those properties identified herein shall be responsible for any and all utility, right-of-way, or reforestation/critical area easements, if required, of the project.

SECTION 5. Title to Roadbed. This Ordinance shall evidence the intent of the Board of County Commissioners for St. Mary's County, Maryland to, subject to the conditions herein, accept the offer of dedication for public use of the roadways within the Rodo Beach Road Improvement Taxing District, as defined herein, by Plat of Subdivision entitled "Rodo Beach" and recorded among the Plat Records of St. Mary's County, Maryland at Liber 3, Folio 75; Liber 4, Folio 43 and Liber 5, Folio 99; Liber 15, Folio 69. This Ordinance shall otherwise be conditional upon such delivery of fully executed deeds or easements for any additional real property necessary to construct the road improvements contemplated hereunder acceptable to the Director of Public Works for the roadways to be constructed in accordance with the specifications approved by the Director of Public Works and authorized by the Board of County Commissioners within Rodo Beach Road Improvement Taxing District, as may be required, in a form approved by the County Attorney, and that, upon identifying any additional real property necessary to construct the road improvements contemplated hereunder, no further work shall be undertaken by County staff in furtherance of this project until such time as any such acceptable deeds or easements have been executed by the respective fee simple owners and recorded amongst the Land Records of St. Mary's County, Maryland.

SECTION 6. Acceptance of Title to Roads. Upon completion of construction and request by the Public Works Director, the Board of County Commissioners for St. Mary's County, Maryland may execute an instrument accepting title to or interest in the roadbeds, upon presentation of an Ordinance accepting the dedication and all fully executed deeds or easements for additional real property necessary to construct the road improvements contemplated hereunder, which acceptance shall be evidenced by the signature of the President of the Board of County Commissioners on the Ordinance and any deeds or easements with County acceptance form for such roadbeds, with the date of such acceptance being reflected in the Ordinance and any deed or easement acceptance forms.

SECTION 7. Division of Costs. The costs of said improvements and reconstruction shall be borne by the County and the property owners in accordance with the following:

- A. The owners of those properties identified herein shall be responsible for approximately \$572,456 of the total project costs. This sum represents the property owners' share of the estimated cost required to bring the said roads to the condition required by the approved set of plans, said share being equivalent to the cost of improving the streets to a condition that would have been acceptable for inclusion within the County Highway Maintenance System at the time the subdivision was recorded.
- B. The owners of those properties identified herein shall be responsible for any and all surveys and design costs for work performed by consultant engineers retained by the County for this project, with the exception of cost incurred for inspection of construction work.
- C. The County shall be responsible for any and all in-house design and engineering costs.
- D. The owners of those properties identified herein shall be responsible for any and all utility relocation costs.
- E. The inspection costs associated with the construction shall be borne by the County.

- F. The owners of those properties identified herein shall be responsible for any and all interest costs associated with the funding of the work.
- G. As this subdivision was constructed prior to January 1, 1977 the County shall be responsible for the cost difference between surface treatment and asphalt, in accordance with policy set forth by the Board of St. Mary's County Commissioners.

SECTION 8. Term of Initial Debt. The cost of said construction and improvements attributable to those properties hereinafter named shall be paid over a 20-year period by an annual benefit assessment levied against said properties in an amount to be determined and set forth in a subsequent tax levy ordinance.

SECTION 9. Assessment. The annual benefit assessment shall be computed as follows:

1. The "total benefit assessment" shall represent total costs of construction and improvements to be borne by the property owners, with each of the 44 lots and parcels shown on the map of the district boundaries attached hereto and itemized at Section 15 herein bearing an equal share of the total costs.
2. The "total benefit assessment" shall be divided by 20 to determine the "annual benefit assessment" to be levied against all of the properties for 20 years.
3. The "annual benefit assessment" shall be divided by 44, being the number of properties in existence in the taxing district at the time the district boundaries were drawn as shown on the map of the district attached as Exhibit "A", and as itemized herein.
4. The Board of County Commissioners for St. Mary's County, Maryland, shall certify the amount of each assessment to the Treasurer of St. Mary's County, Maryland one time in a separate tax levy ordinance;

SECTION 10. Levy. Upon enactment of a separate levy ordinance, the Treasurer of St. Mary's County, Maryland, shall place said annual benefit assessment on the State and County real estate tax bills for said lots or property for the next twenty (20) succeeding fiscal years following the first levy and that said annual benefit assessments shall be subject to such discount allowances and interest penalties and charges as may be provided by law.

SECTION 11. Lien. Said benefit assessment shall constitute a first lien on the properties against which they are assessed, until paid, subject only to prior State and County taxes.

SECTION 12. Prepayment Prohibited. Said benefit assessment shall not be prepaid.

SECTION 13. No Conveyances Without Payment of Tax. No deed or conveyance of property subject to said lien shall be transferred by the Assessor of St. Mary's County, Maryland, until proof of payment of all benefit assessments then due has been exhibited.

SECTION 14. Road Maintenance. Upon entry of an Ordinance accepting the roads into the County Highway Maintenance System the County shall then assume responsibility for maintaining the improvements set forth herein.

SECTION 15. Benefited Properties. The following properties are found to be specially benefited by the improvements proposed by this Ordinance and shall, therefore, be included within the Rodo Beach Road Improvement Taxing district, as further itemized herein and as shown on the map attached as Exhibit "A" and reflected on Tax Map 73:

<u>Tax Map</u>	<u>Parcel</u>	<u>Lots</u>
73	160	1
		2
		3

<u>Tax Map</u>	<u>Parcel</u>	<u>Lots</u>
73	160	4
		5
		6
		7
		8
		9
		10
		11
		12
		13
		14
		16
		17
		18-19
		20-21
		22
		23-24
		25
	169	1
		2
		3
		4-5
		6
		7
		8
		9
		10
		11
		12
		13
		38
		39
		40
		41
		42
		43
		44
		45-46
		48
	185	
	191	

SECTION 16. Alteration of Assessment by Action of Taxpayer Prohibited. The subsequent re-subdivision, vacation of subdivision plats, or vacation or rearrangement of lot lines, which result in the creation of fewer benefited properties and fewer properties subject to the special tax, shall not be recognized for purposes of calculation of the annual benefit assessments necessary to pay the principal, interest, and all other lawful expenses of this special district"; in such case, assessments shall be calculated as if the subsequent resubdivision, vacation of plat, or lot line vacation or adjustment had not occurred.

SECTION 17. Alteration of Assessment by Action of Taxpayer Permitted. The re-subdivision of lot lines, subsequent to the recording dates of the subdivision plats mentioned hereinabove, which result in the creation of a greater number of lots shall be recognized for assessment purposes, and the Treasurer shall enter assessments so that the assessment of the parent lot shall be equally divided between the resulting lots, the assessment against other lots in the district shall not be adjusted because of the subsequent subdivision of any single lot.

SECTION 18. 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 for St. Mary's County 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 19. Effective Date. This Ordinance shall be effective 11/14/00.

Those voting aye: Commissioners Anderson, Randall and Raley,

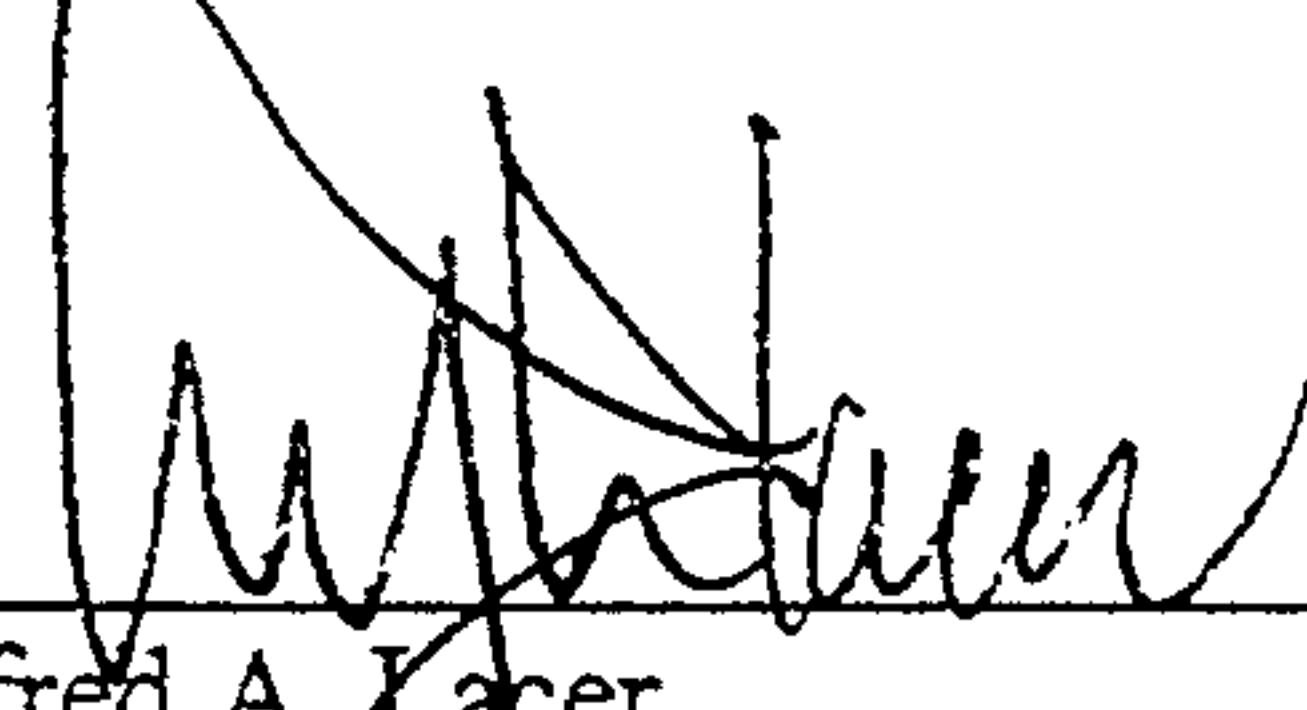
Those voting nay: Commissioners Guazzo and Mattingly,

Those abstaining or absent: None

DATE OF ADOPTION: 11/14/2000

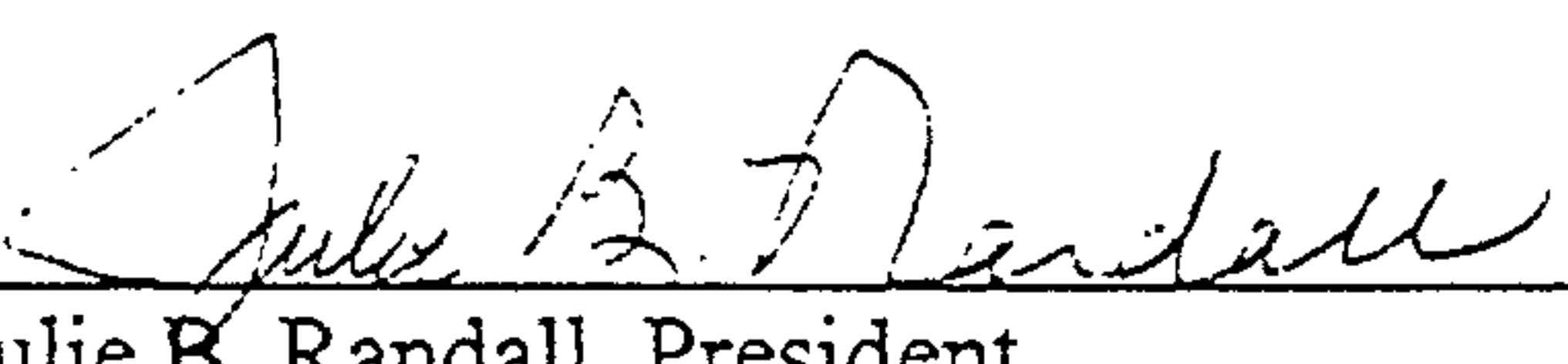
EFFECTIVE DATE: 11/14/2000

ATTEST:

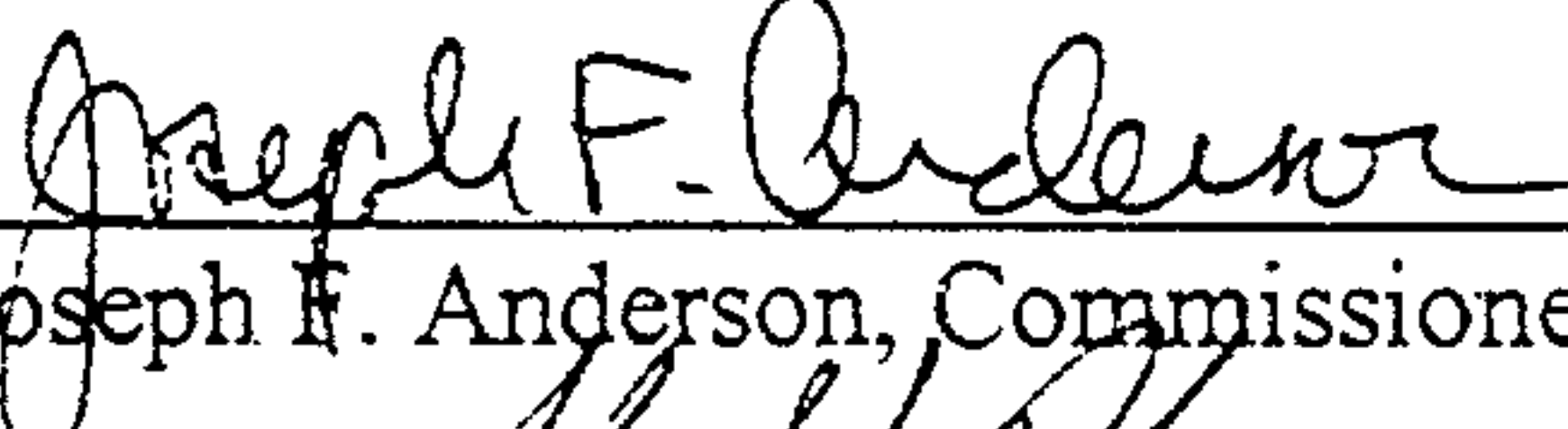


Alfred A. Lacer,
County Administrator

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




Julie B. Randall, President



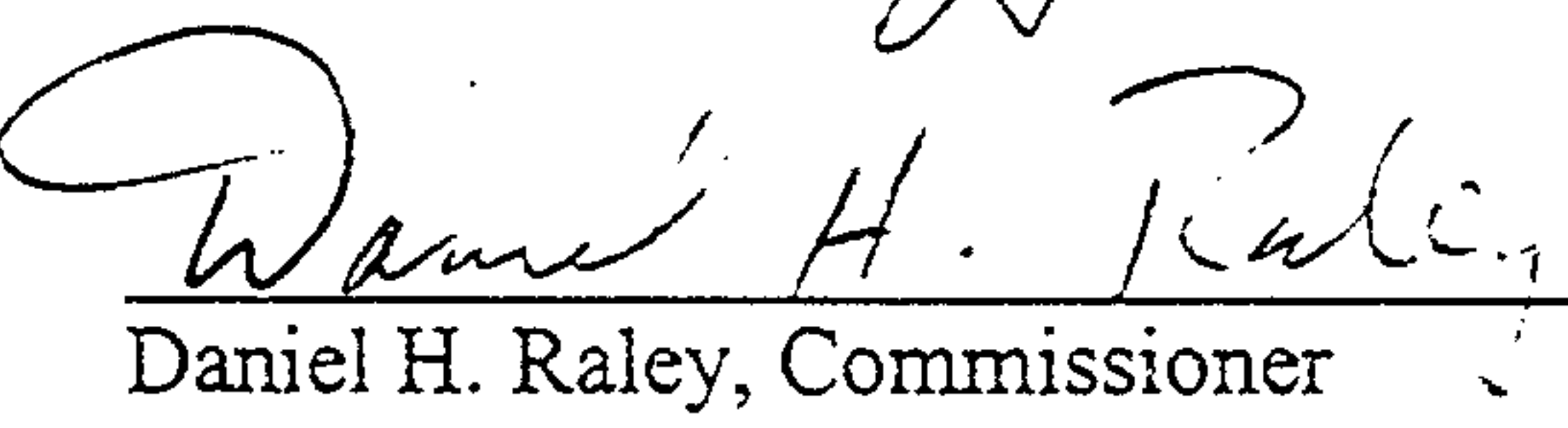
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



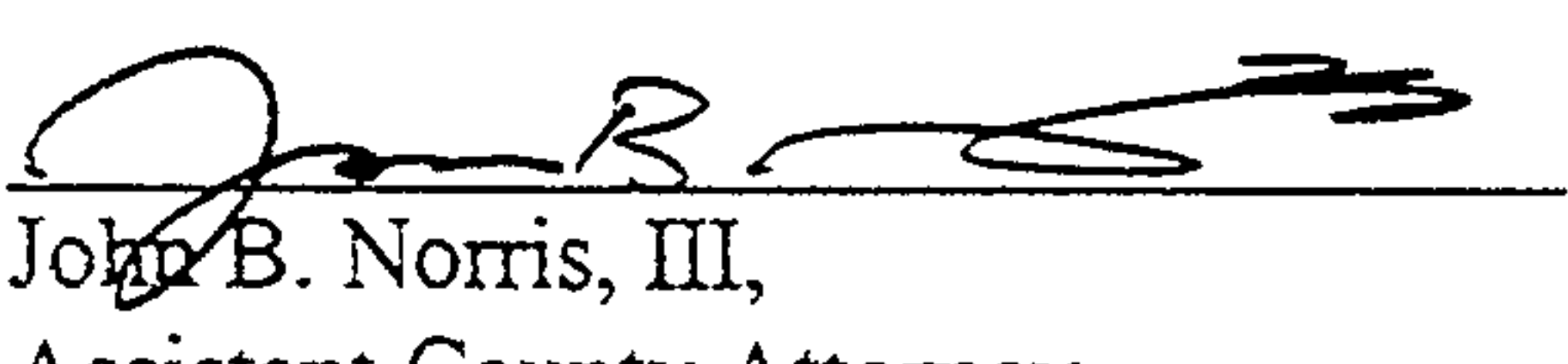
Daniel H. Raley, Commissioner

APPROVED:



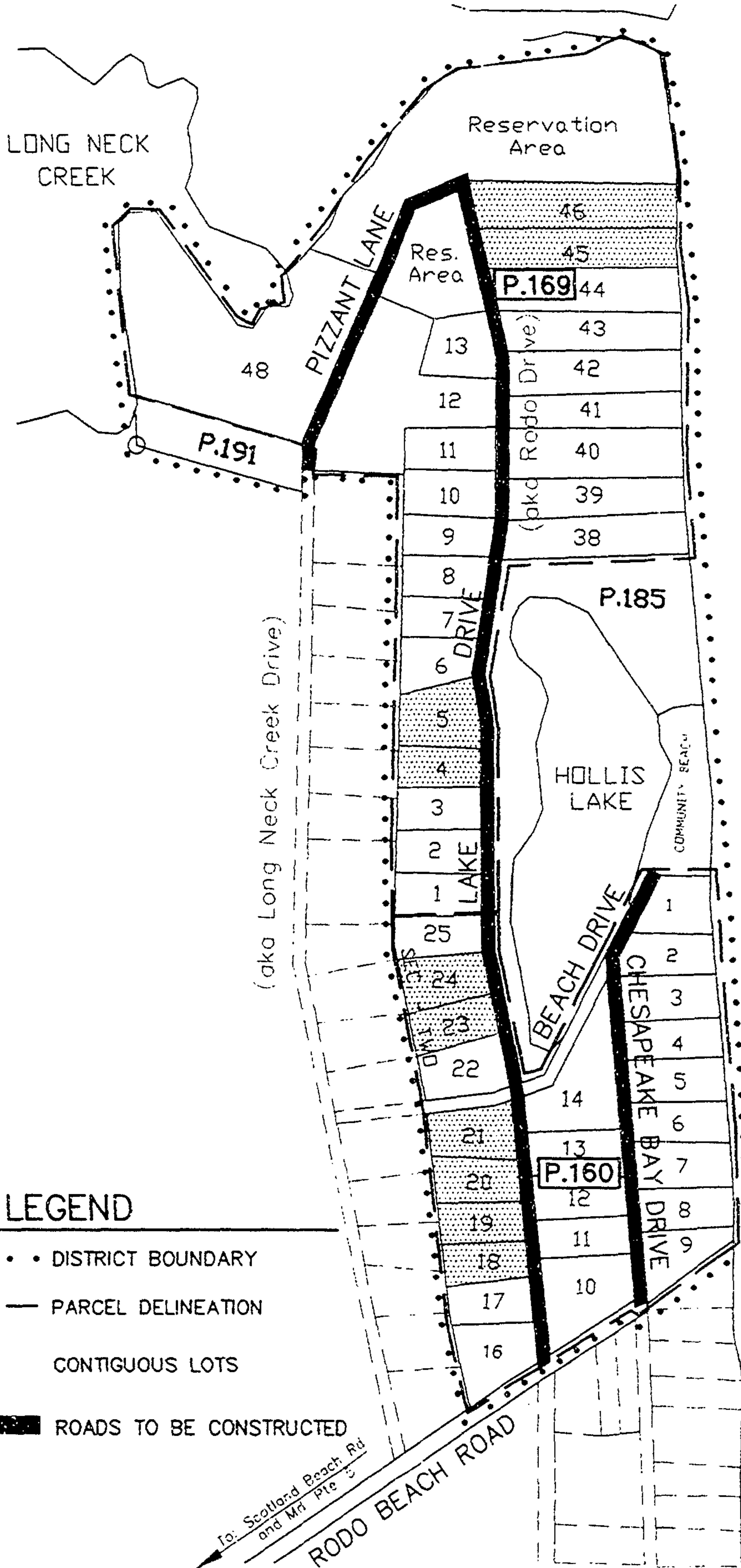
Elaine M. Kramer, Finance Director

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



John B. Norris, III,
Assistant County Attorney

EXHIBIT 'A'



CHESAPEAKE BAY

LEGEND

- DISTRICT BOUNDARY
- PARCEL DELINEATION
- [Stippled Box] CONTIGUOUS LOTS
- [Thick Solid Line] ROADS TO BE CONSTRUCTED

To: Scotland Beach Rd and Mt Pte 3
RODO BEACH ROAD

RODO BEACH ROAD IMPROVEMENT SPECIAL TAXING DISTRICT

SCALE: 1" = 400'

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to increase the appropriation for the Office of the Sheriff 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 \$59,416.00 are available in Federal grant funds from the U. S. Department of Justice, Office of Justice Programs, to the Office of the Sheriff of St. Mary's County for the purpose of providing funds for the Local Law Enforcement Block Grants Program to purchase equipment, technology and materials directly related to improving the deliveries of law enforcement services.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, November 14, 2000 pursuant to Notice published on or about November 1, 2000 and November 8, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, November 14, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$59,416.00 (Fifty-Nine Thousand Four Hundred Sixteen Dollars), and such increase is hereby approved this 28th day of November, 2000 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: -
Those Absent: -

Date of Adoption: 11-28-00
Effective Date: 11-28-00

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
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Acting Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
Restored Rpt#599999
EMA WAB BIK#164
Dec 04, 2000 02:18 PM

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
Patrick B. Murphy
Acting County Attorney

Subject: W/S Plan Amendment
MetCom Community Sewer
(Amendment to Resolution No. W/S 92-01)

RESOLUTION

WHEREAS on March 10, 1992 the board of county commissioners adopted resolution no. W/S 92-01 amending the comprehensive water and sewerage plan to reclassify the sewer service categories for Airdele Road, Tall Timber/South Potomac Shores, and St. George Island; and

WHEREAS said resolution no. W/S 92-01 limited new sewer facilities on St. George Island to 219 equivalent dwelling units (EDUs) as described in the attachment to said resolution 92-01; and

WHEREAS on March 10, 1992 to board of county commissioners entered into an agreement with the St. Mary's County Metropolitan Commission and the St. George Island Improvement Association restricting service to St. George Island to 219 EDUs; and

WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, the board of county commissioners subsequently adopted resolution no. W/S 93-02 modifying the EDU sewer allocation for St. George Island to 220 EDUs, and resolution W/S 94-01 modifying the EDU sewer allocation for St. George Island to 224 EDUs, and resolution W/S 94-04 modifying the EDU sewer allocation for St. George Island to 229 EDUs, and resolution W/S 95-02 modifying the EDU sewer allocation for St. George Island to 230 EDUs; and resolution W/S 99-01 modifying the EDU sewer allocation for St. George Island to 232 EDUs; and

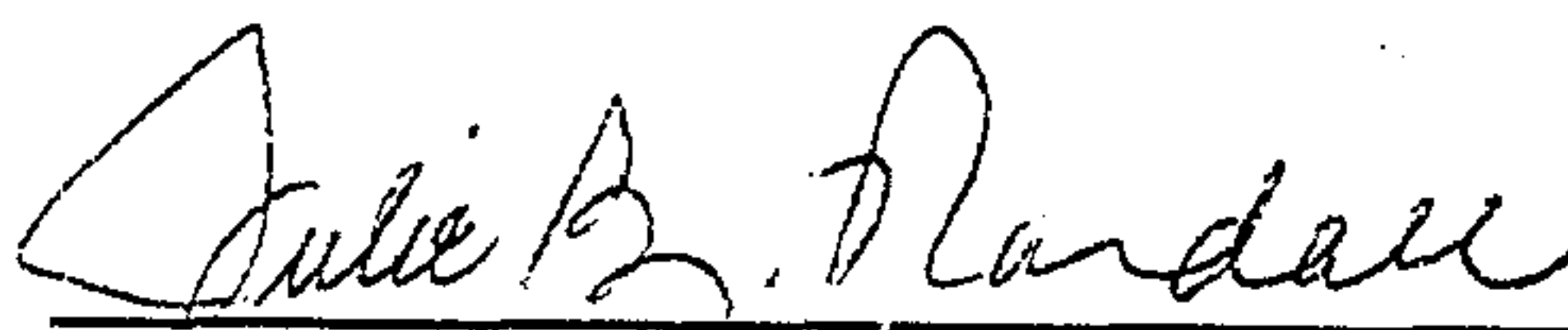
WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, has determined that the allocation of four (4) additional EDUs for LaVance Prince for property described in deed EWA 1346/520 & EWA 1435/300 & EWA 1509/114 (Tracts 2 & 3 and Parcel 62 of Tax Map 69 in the ninth election district of St. Mary's County, Maryland) should have been included in resolution W/S 92-01, but were inadvertently overlooked,

NOW THEREFORE BE IT RESOLVED that the board of county commissioners hereby amends resolution no. W/S 92-01 pursuant to the Agreement Restricting Service to St. George Island between the board of county commissioners and the St. George Island Improvement Association to provide for four (4) additional EDU bringing the total for St. George Island to 236 EDUs.

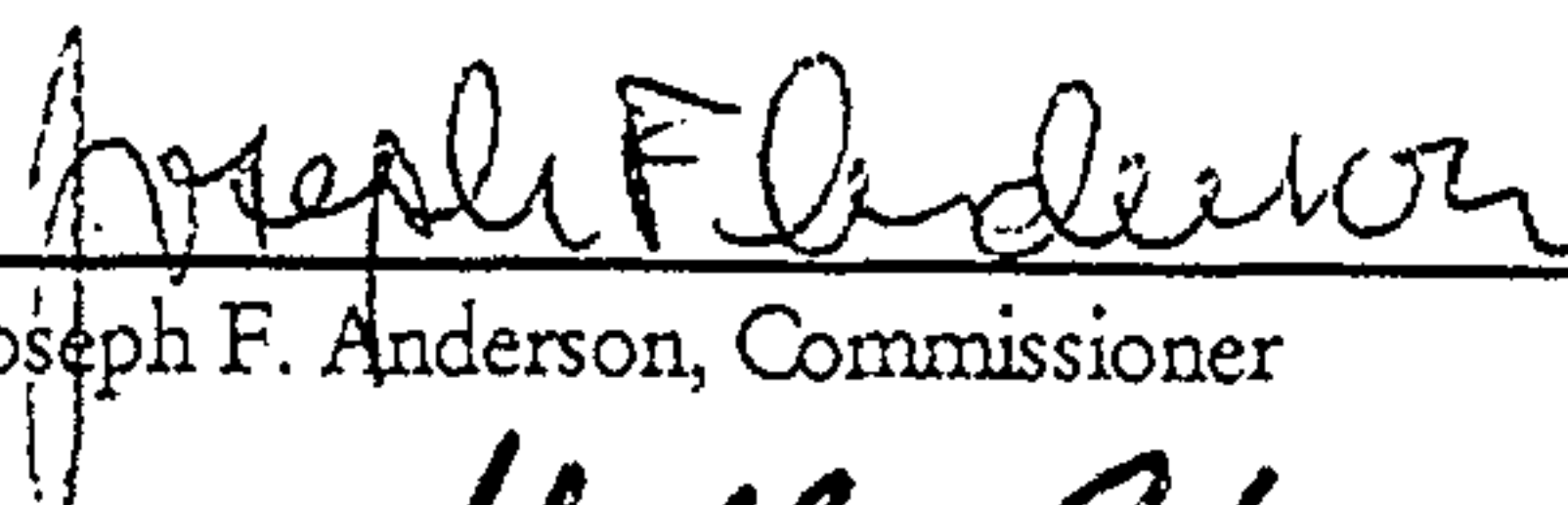
Date of Adoption: 12/13/00

Effective Date: 12/13/00

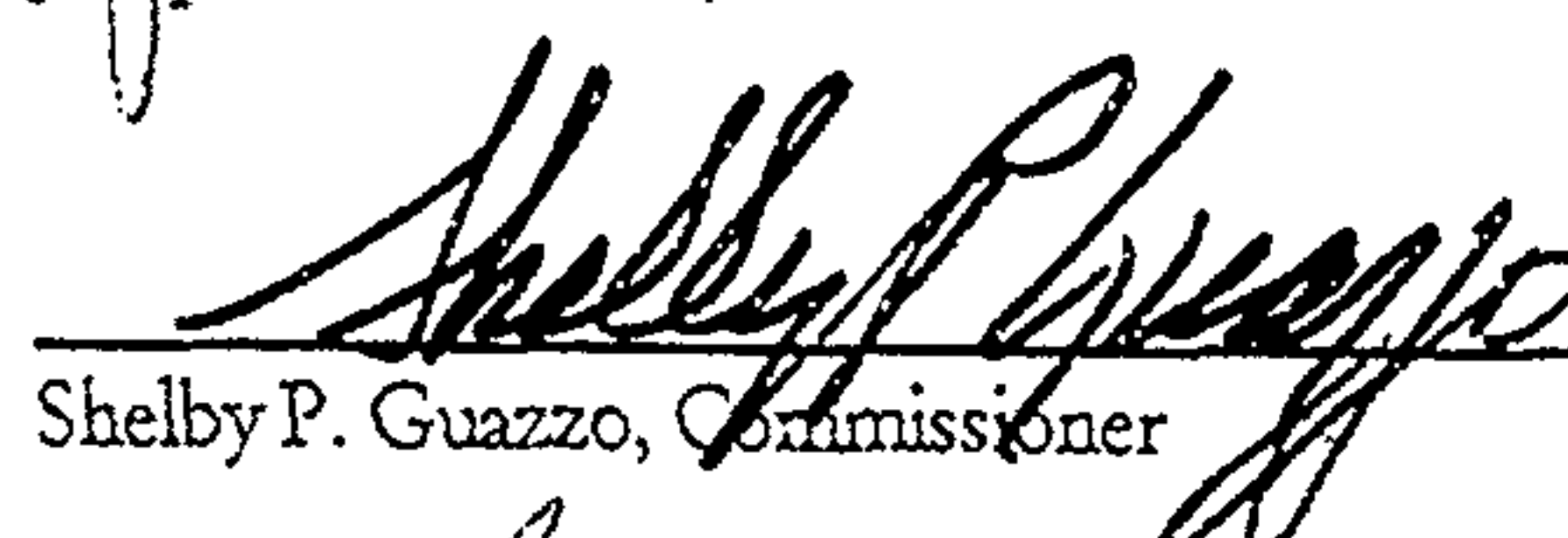
BOARD OF COUNTY COMMISSIONERS
OF ST. MARY'S COUNTY, MARYLAND



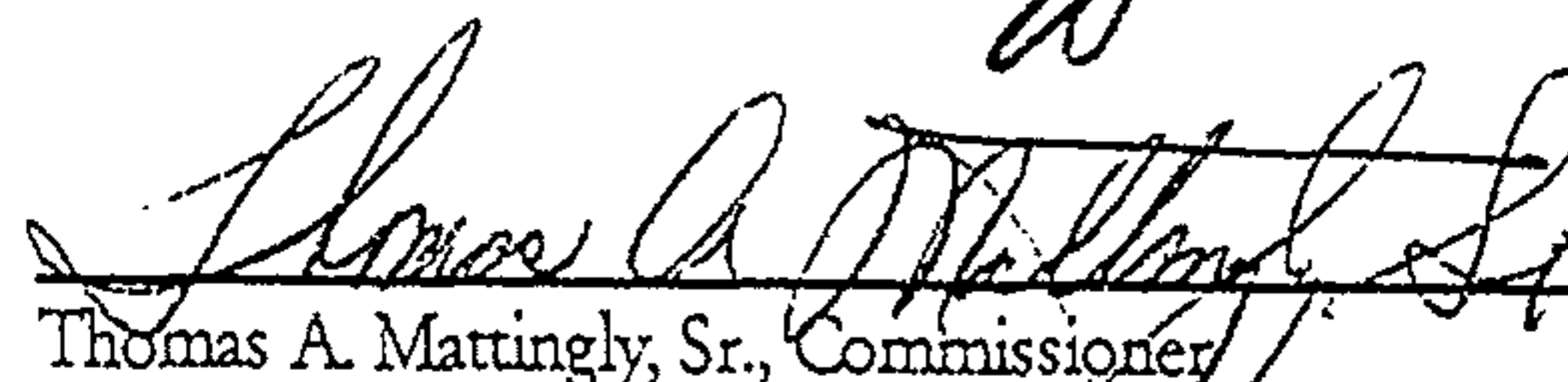
Julie B. Randall, President



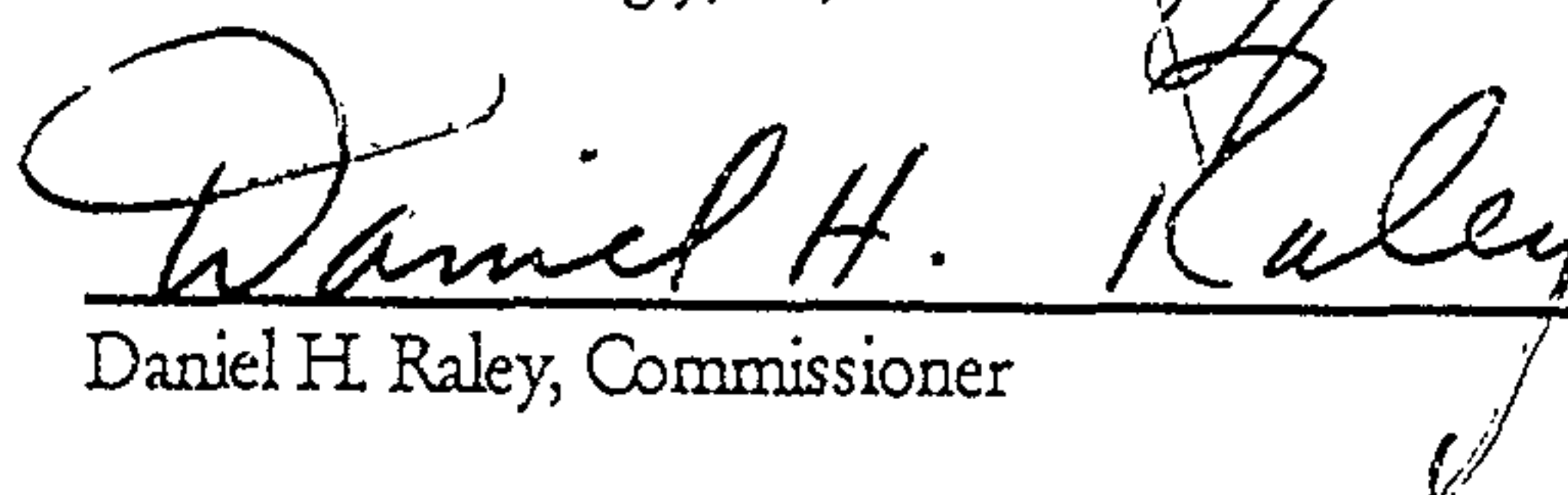
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

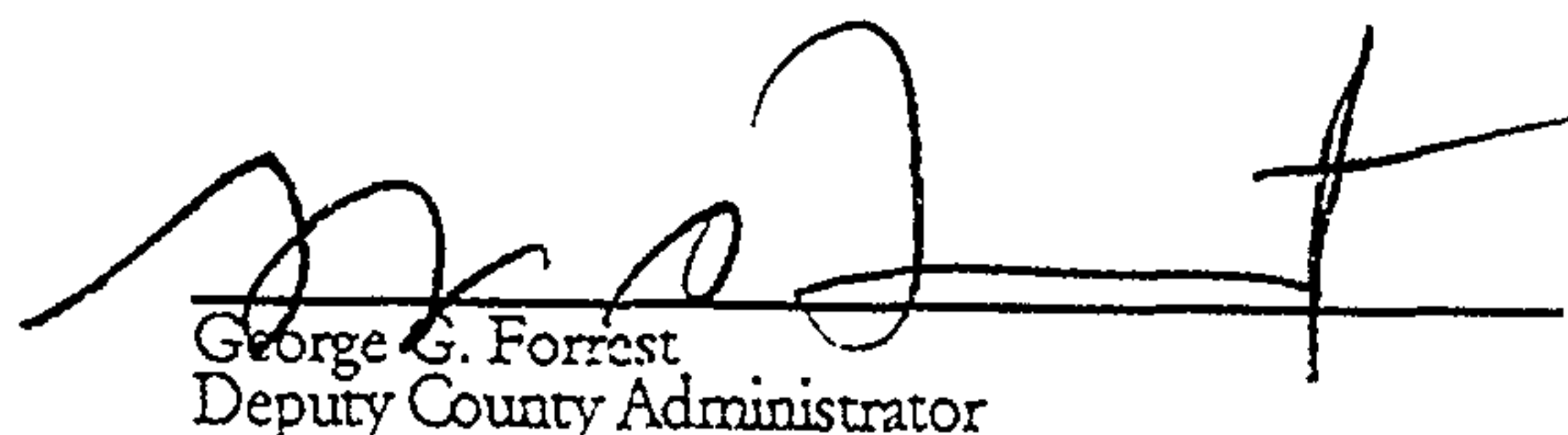


Thomas A. Mattingly, Sr., Commissioner

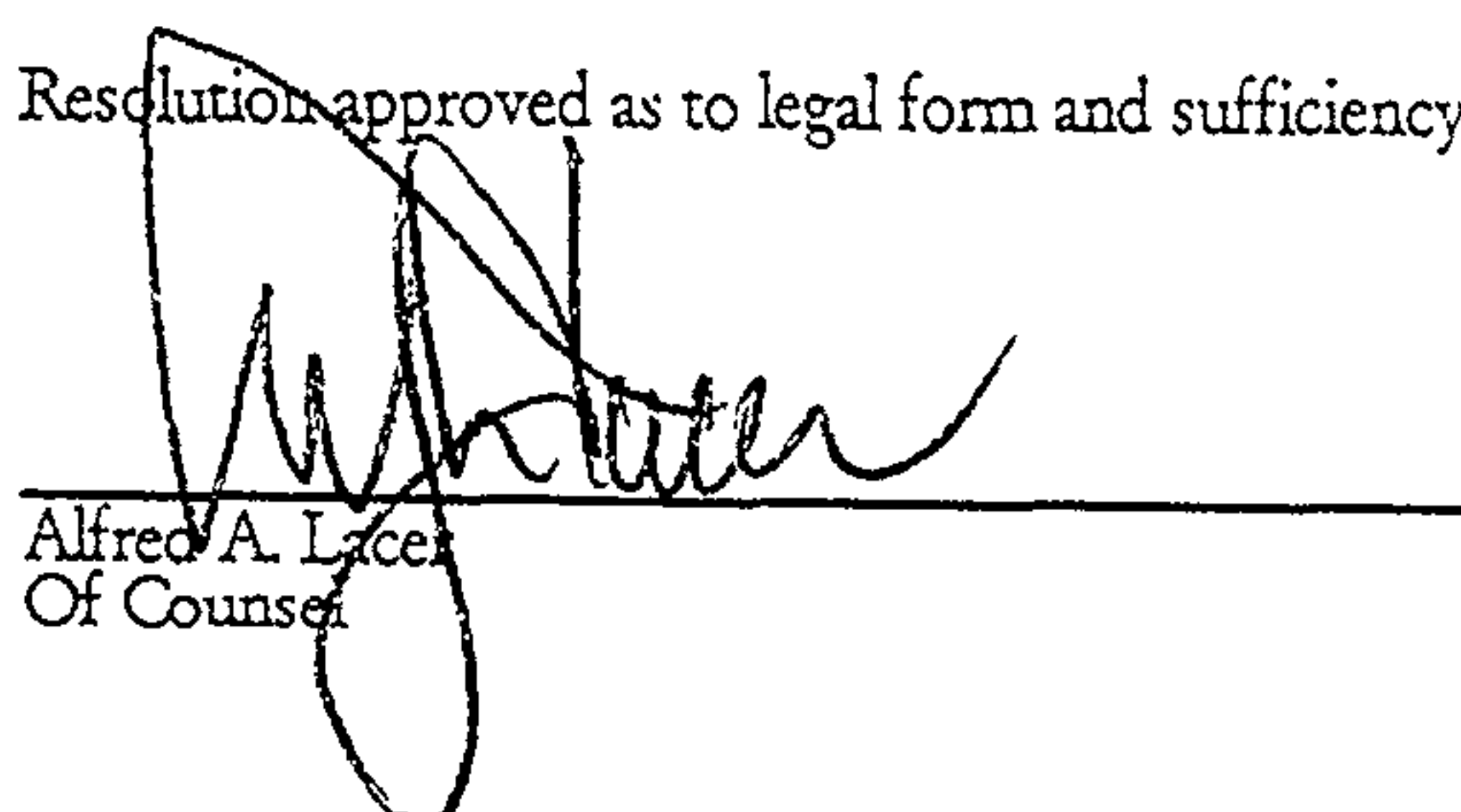


Daniel H. Raley, Commissioner

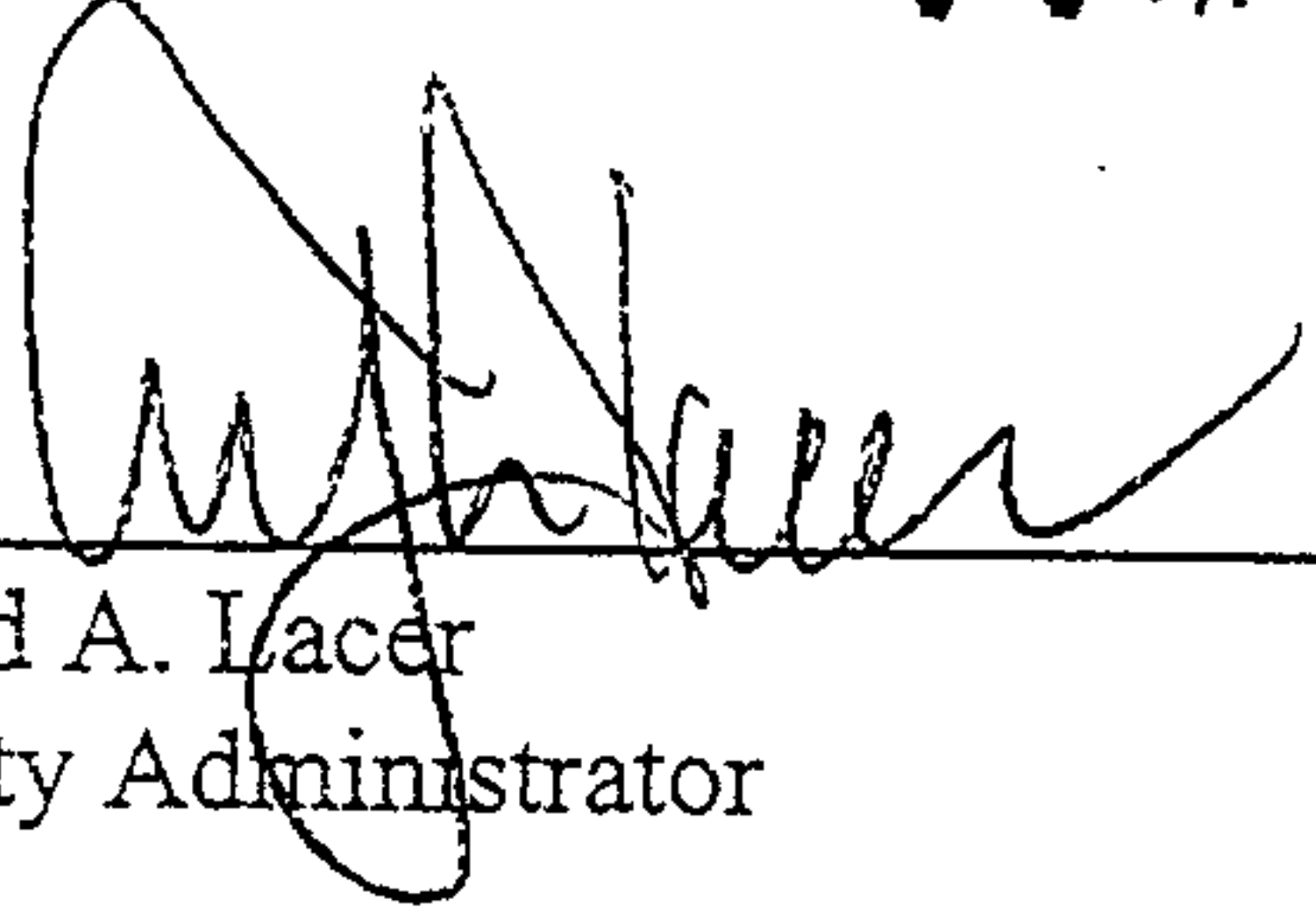
Attest:


George G. Forrest
Deputy County Administrator


Resolution approved as to legal form and sufficiency:

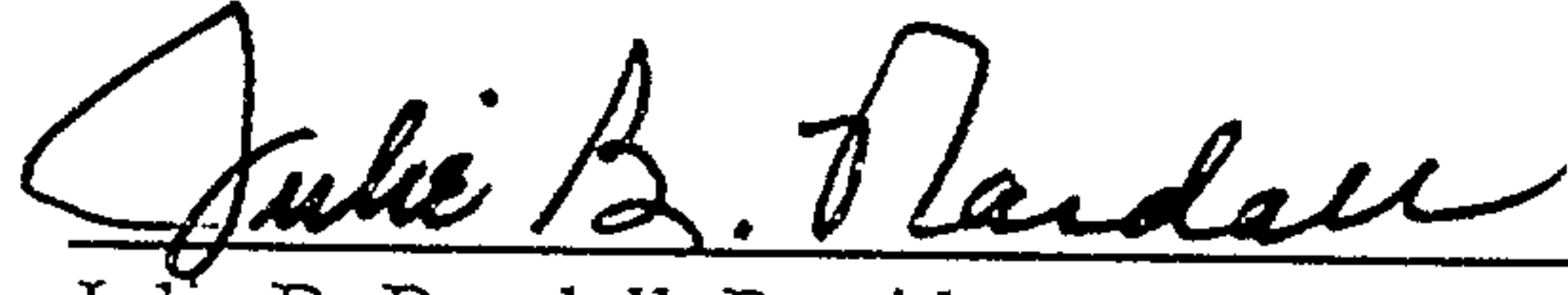

Alfred A. Lacey
Of Counsel


RECORDING FEE 0.00
TOTAL 0.00
Res#5203 Rec#4999999
EWA TLC BIK#866
Dec 15, 2000 10:30 am

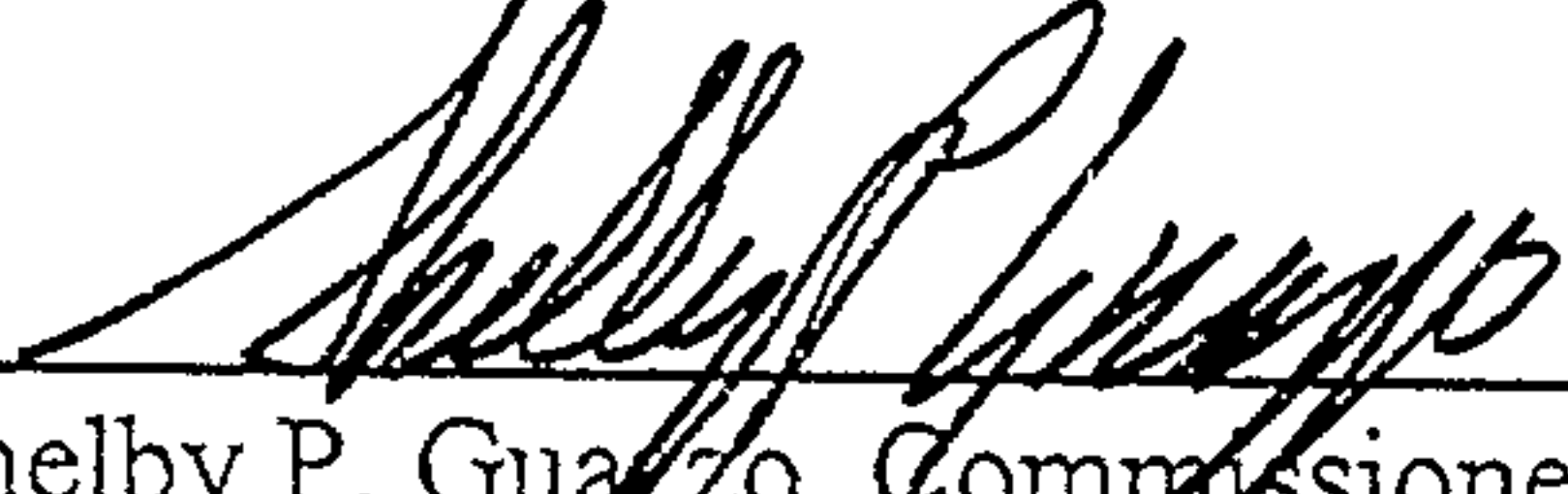

Alfred A. Lacer
County Administrator

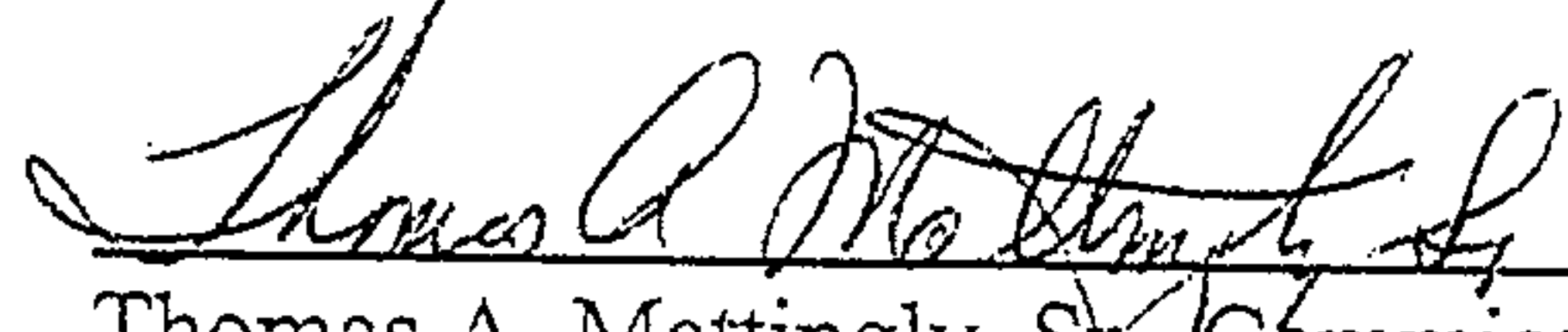
APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

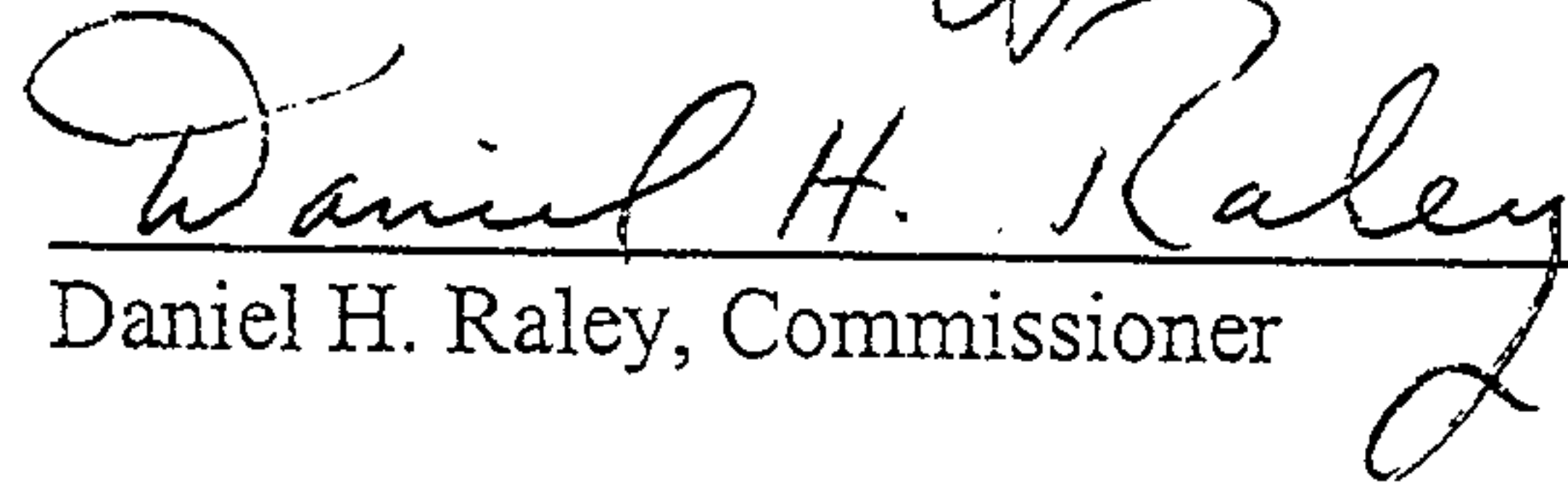

John B. Norris, III
Deputy County Attorney


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any street, or portion thereof, as a no parking area.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the need to control parking along a portion of Joy Chapel Road due to the existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate parking on Joy Chapel Road; specifically, no parking along the shoulders on Joy Chapel Road, County Route 30194, approximately .7 miles from its intersection with Mervell Dean Road (MD Route 944), adjacent to the Hollywood Elementary School/Hollywood Soccer Complex, on both sides of the roadway for a distance of approximately 1,800 feet.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists on Joy Chapel Road, and that in the interest of public safety and to eliminate a hazardous condition, Joy Chapel Road, County Route 30194, further identified as being located in the Sixth (6th) Election District, St. Mary's County, Maryland, shall be designated as a No Parking Zone approximately .7 miles from its intersection with Mervell Dean Road (MD Route 94), adjacent to the Hollywood Elementary School/Hollywood Soccer Complex, on both sides of the roadway for a distance of approximately 1,800 feet, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect the necessary traffic control devices, specifically, No Parking signs on Joy Chapel Road, County Route 30194, as necessary to identify the referenced portion of Joy Chapel Road as a No Parking Zone.

Those voting aye: ALL

Those voting nay: _____


Those abstaining or absent: _____

Date of Adoption: 01/09/01


Effective Date: 01/09/01

RECORDING FEE 0.00
TOTAL 0.00
RESIGNED Ref#1999999
EWA PL 8144767
Jan 11, 2001 11:07 am


ATTEST:



Alfred A. Lacer
County Administrator


BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:


John B. Norris, III
Assistant County Attorney

NO.: 2001-01

SUBJECT: FY 2001 Supplemental Appropriation
Office of Community Services

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to increase the appropriation for the Office of Community Services 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 \$7,820.00 are available in Federal grant funds from Governor's Office of Crime Control and Prevention for Youth grant which will provide 4 Tutors/mentors, Travel, and other expenditures.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 19, 2000 pursuant to Notice published on or about December 6, 2000 and December 13, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 19 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$7820.00 (Seven Thousand Eight Hundred Twenty Dollars), and such increase is hereby approved this 9th day of January, 2001 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 1-9-01
Effective Date: 1-9-01

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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
Res#3403 Rec#433333
EMA PL BIK#767
Jan 11, 2001 11:08 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:
Patrick B. Murphy
Patrick B. Murphy
County Attorney

CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: December 18, 2000


TO: Board of County Commissioners

ORDINANCE
NUMBER:

PURPOSE: Office of Community Services
for the Youth Grant which will provide 4 Tutors/mentors, Travel, and other expenditures.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$7820.00	Per Notice of Grant Award from Governor's Office of Crime Control and Prevention dated 11/16/2000


Elaine M. Kramer
Director of Finance

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to increase the appropriation for the Office of Community Services 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 \$4,300.00 are available in Federal grant funds from Governor's Office of Crime Control and Prevention for the purpose of providing supplemental funds to Rental space, Telephone/Fax services, and Miscellaneous expenditures.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 19, 2000 pursuant to Notice published on or about December 6, 2000 and December 13, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 19 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$4,300.00 (Four Thousand Three Hundred Dollars), and such increase is hereby approved this 9th day of January, 2001 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 1-9-01
Effective Date: 1-9-01

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:
Alfred A. Lacer
Alfred A. Lacer
County Administrator
Elaine M. Kramer
Elaine M. Kramer
Director of Finance

RECORDING FEE . 0.00
TOTAL . 0.00
Revised 03 Rept # 99999
EWA PL Bk#767
Jan 11, 2001 11:09 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
Patrick B. Murphy
County Attorney

BOOK 0017 PAGE 0064
CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: December 18, 2000

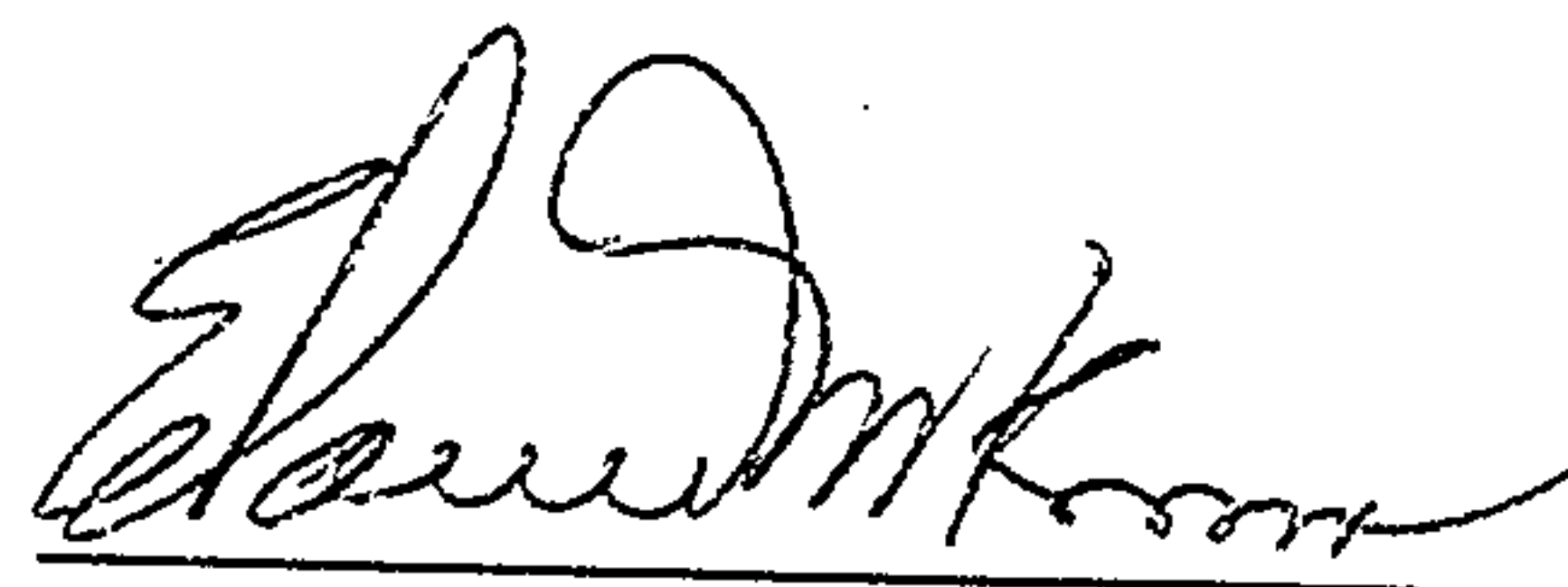
TO: Board of County Commissioners

ORDINANCE
NUMBER:

PURPOSE: Office of Community Services
for the purpose of Providing Rental space, Telephone/Fax services, and Miscellaneous
expenditures.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>	<u>1</u>
\$4300.00	Per Notice of Grant Award from Governor's Office of Crime Control and Prevention dated 11/16/2000	



Elaine M. Kramer
Director of Finance

NO.: 2001-03

BOOK 0017 PAGE 0065

SUBJECT: FY 2001 Supplemental Appropriation
Office of the Sheriff

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to increase the appropriation for the Office of the Sheriff 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 \$5,200.00 are available in federal grant funds from the Governor's Office of Crime Control and Prevention for the purpose of them to continue their proactive crime prevention program.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, December 19, 2000 pursuant to Notice published on or about December 6, 2000 and December 13, 2000 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on Tuesday, December 19, 2000 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$5,200.00 (Five Thousand Two hundred Dollars), and such increase is hereby approved this 9th day of January, 2001 by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

Date of Adoption: 1-9-01
Effective Date: 1-9-01

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
Alfred A. Lacer
Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

RECORDING FEE 0.00
TOTAL 0.00
Res#5463 Ac#4999999
LHA PL BIK#767
Jan 11, 2001 11:10 am

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
Patrick B. Murphy
County Attorney

CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: Dec. 18, 2000

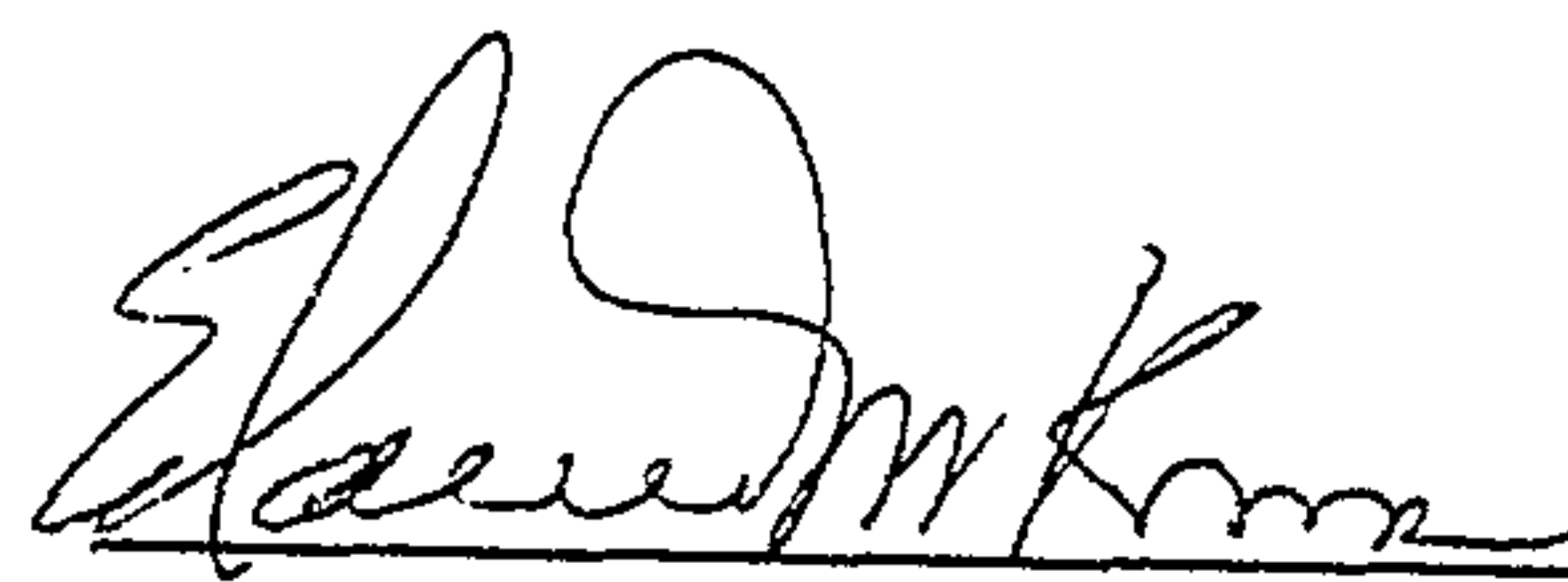
TO: Board of County Commissioners

ORDINANCE
NUMBER:

PURPOSE: Office of the Sheriff
For the purpose of providing funds for proactive crime prevention programs.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$5,200.00	Per Notice of Grant Award from Governor's Office of Crime Control and Prevention dated 11/16/2000.



Elaine M. Kramer
Director of Finance

ORDINANCE

FOR THE PURPOSE OF ALLOCATING 6.3 ACRES OF ST. MARY'S COUNTY'S CHESAPEAKE BAY CRITICAL AREAS GROWTH ALLOCATION FOR THE SUBDIVISION AND DEVELOPMENT OF TWO LOTS WITHIN THE CHESAPEAKE BAY CRITICAL AREAS, AND THEREBY AMENDING THE CHESAPEAKE BAY CRITICAL AREA MAP OVERLAY DESIGNATION FOR THIS SITE FROM RESOURCE CONSERVATION AREA (RCA) TO LIMITED DEVELOPMENT AREA (LDA) TO REFLECT THE ALLOCATION.

WHEREAS, Application No. ISUB #98-2844 was filed with the Department of Planning & Zoning by Rex and Francis Eagan on December 2, 1998; and

RECORDING FEE 0.00

WHEREAS, said application for critical area growth allocation is for a two-lot subdivision location on the West side of River Springs Road and shown on Tax Map 46, Block 10, Parcel 230, Lot 1 consisting of 4.8 acres and Lot 2 consisting of 1.5 acres, both zoned Rural Preservation District (RPD) with an RCA overlay; and

TOTAL 0.00
Rest 1998 Rpt 199999

WHEREAS, the growth allocation request was submitted by the Applicants 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

LMA PL 0141055
Jan 18, 2001 10:02 am

WHEREAS, following the posting of notice on the subject property, publication of notice and written notification of all contiguous property owners by certified mail, the St. Mary's County Planning Commission conducted a public hearing on the application on May 22, 2000; and

WHEREAS, the St. Mary's County Planning Commission, by unanimous vote on May 22, 2000, recommended approval, with conditions, the growth allocation request to the Board of County Commissioners; and

WHEREAS, the Board of County Commissioners, following the posting of notice on the subject property, publication of notice and written notification of all contiguous property owners by certified mail, conducted a public hearing on the application on October 17, 2000, continued to November 28, 2000; and

WHEREAS, after deliberation upon public testimony and staff responses to that testimony and questions from the Board.

NOW, THEREFORE, BE IT ORDAINED, BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND, to accept the Planning Commission's recommendations and grant the 6.3 acres of the county's growth allocation for Lots 1 & 2, and to map the 6.3 acre area as Limited Development Area (LDA) subject to the following conditions and the Chesapeake Bay Critical Area Commission's approval:

1. The applicant shall prepare and submit for review by the TEC an environmental report as requested in Note 5 of the September 21, 1999 TEC comments prepared by Christine Holmberg; and
2. The applicant shall note on all plats that, as a condition of building permit issuance, an appropriate Best Management Practice for stormwater runoff as recommended in the Critical Area Commission's "10% Rule Guidance Document" shall be installed to improve stormwater management and water quality on the site, (a note to this effect shall be added to plats prior to recording); and
3. Applicant acknowledges that the limits of disturbance shall not encroach into the 100-foot Critical Area Buffer and that the location of the house, pool and other

structures on Lot 1 may be required to be revised at building permit stage, to provide sufficient area for construction activity between the house and the edge of the 100-foot Critical Area Buffer, to ensure that the root systems of trees in the Critical Area 100-foot Buffer are protected and that clearing and grading material storage does not occur in the 100-foot Critical Area Buffer, (a note to this effect shall be added to plats prior to recording);and

- 4. The applicant shall establish an easement to maintain a 30-foot bufferyard along the common boundary with the Hughes and Blackistone properties, excepting the area of the septic easement, where the buffer will be reduced to 12 feet; and
- 5. The limits of disturbance, as indicated on the developer's plat dated 12/10/98 (revised 8/20/00) shall be adhered to in the development of this property.

BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND that the foregoing recitals are hereby adopted as written above.

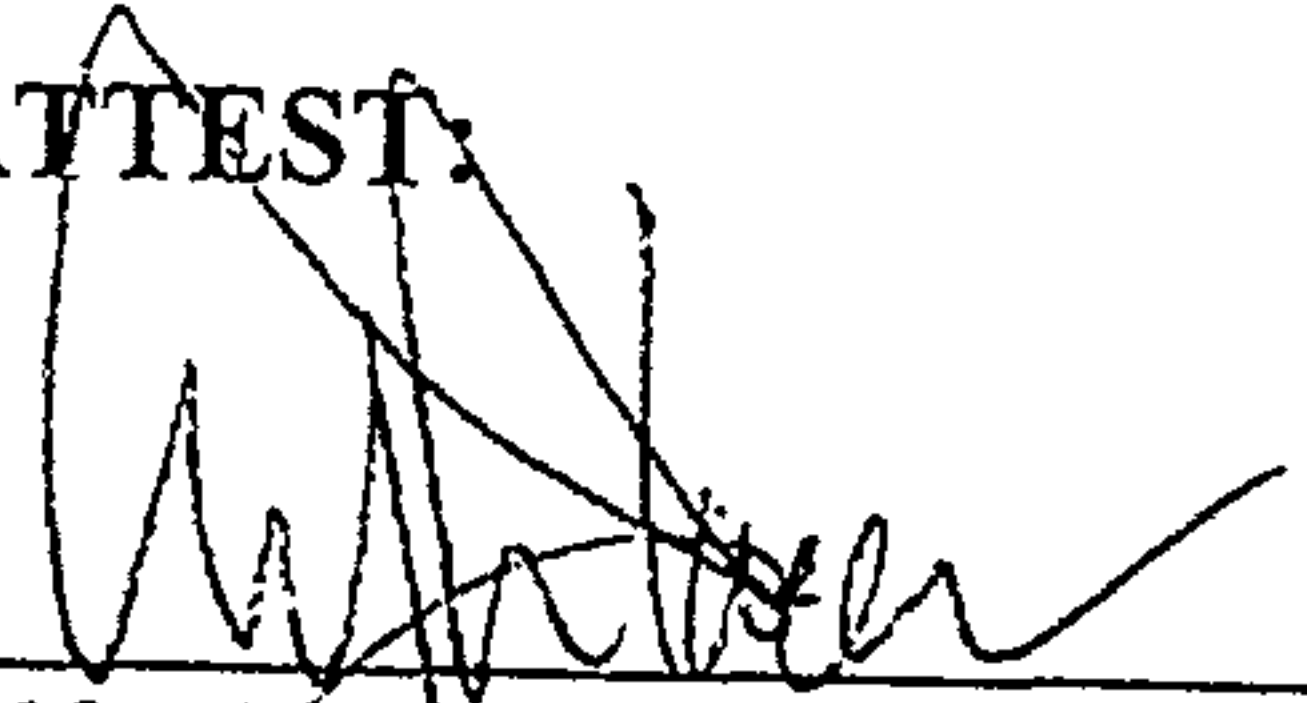
BE IT FURTHER ORDAINED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND that this ORDINANCE shall be effective at the date written below.

Date of Adoption: 01/16/01 Ayes: All present

Nays: _____

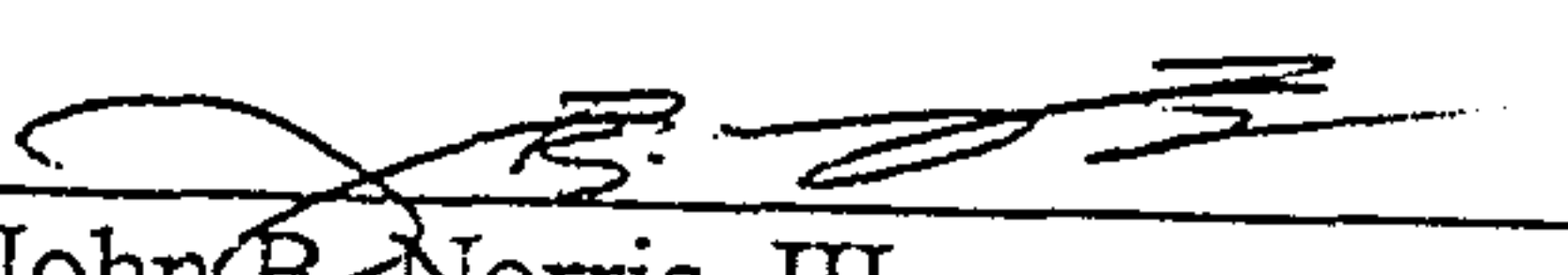
Effective Date: 01/16/01 Abstain: _____

ATTEST:



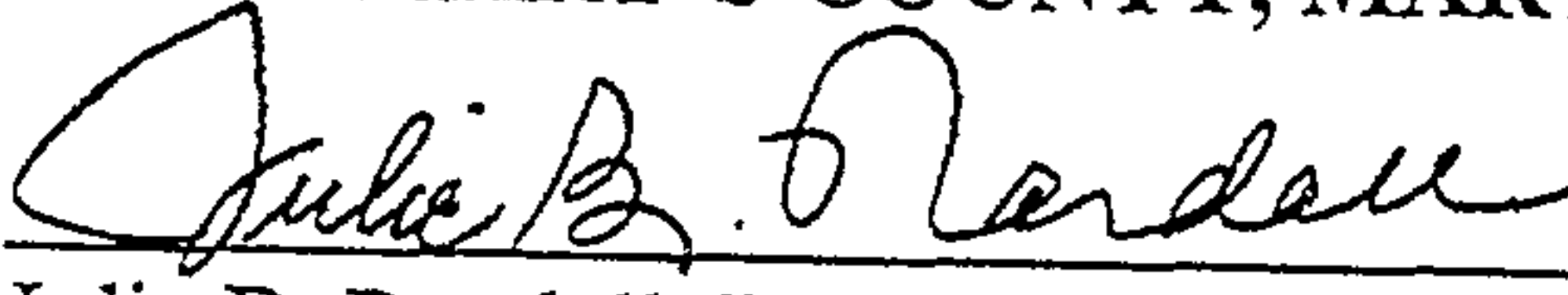
Alfred A. Lacer
County Administrator

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:



John B. Norris, III
Deputy County Attorney

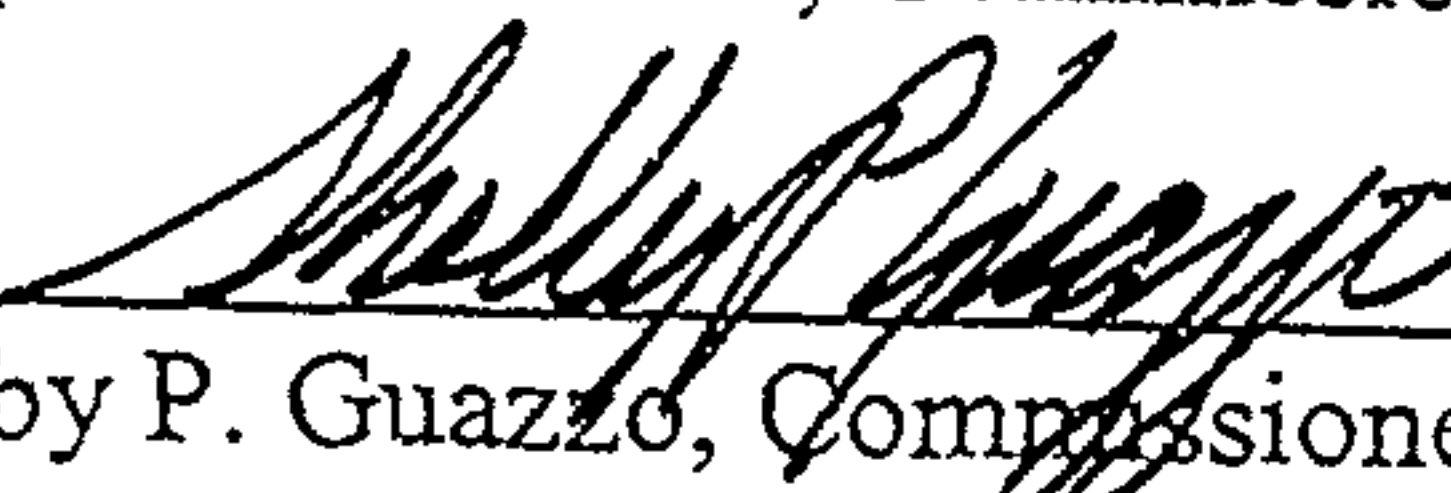
BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND



Julie B. Randall, President



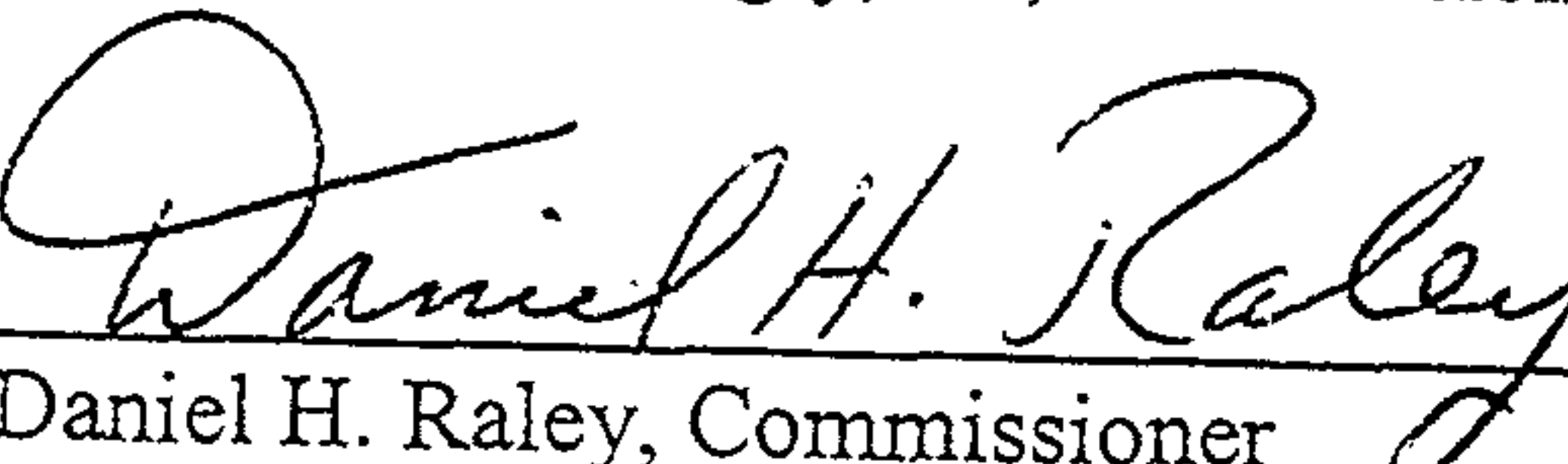
Joseph F. Anderson, Commissioner



Shelby P. Guazzo, Commissioner

ABSENT

Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

BOOK 0077 PAGE 0069

WS No. 00-01(A)
Subject: W/S Plan Amendment
MetCom Community Sewer
(Amendment to Resolution No. W/S 92-01)

RESOLUTION

WHEREAS on March 10, 1992 the Board of County Commissioners adopted Resolution No. W/S 92-01 amending the Comprehensive Water and Sewerage Plan to reclassify the sewer service categories for Airdele Road, Tall Timber/South Potomac Shores, and St. George Island; and

WHEREAS said Resolution No. W/S 92-01 limited new sewer facilities on St. George Island to 219 equivalent dwelling units (EDUs) as described in the attachment to said resolution 92-01; and

WHEREAS on March 10, 1992 to Board of County Commissioners entered into an agreement with the St. Mary's County Metropolitan Commission and the St. George Island Improvement Association restricting service to St. George Island to 219 EDUs; and

WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, subsequently adopted Resolution No. W/S 93-02 modifying the EDU sewer allocation for St. George Island to 220 EDUs, and Resolution W/S 94-01 modifying the EDU sewer allocation for St. George Island to 224 EDUs, and Resolution W/S 94-04 modifying the EDU sewer allocation for St. George Island to 229 EDUs, and Resolution W/S 95-02 modifying the EDU sewer allocation for St. George Island to 230 EDUs; and Resolution W/S 99-01 modifying the EDU sewer allocation for St. George Island to 232 EDUs; and

WHEREAS, the Board of County Commissioners, with the concurrence of the St. George Island Improvement Association, has determined that the allocation of five(5) additional EDUs for LaVance Prince for property described in deed EWA 1346/520 & EWA 1435/300 & EWA 1509/114 (Tracts 2 & 3, Parcel 62 and Parcel 180 of Tax Map 69 in the ninth election district of St. Mary's County, Maryland) should have been included in resolution W/S 92-01, but were inadvertently overlooked,

NOW THEREFORE BE IT RESOLVED that the Board of County Commissioners hereby amends Resolution No. W/S 92-01 pursuant to the Agreement Restricting Service to St. George Island between the Board of County Commissioners and the St. George Island Improvement Association to provide for five (5) additional EDUs for the LaVance Prince property, bringing the total for St. George Island to 237 EDUs.

Date of Adoption: December 13, 2000
Effective Date: December 13, 2000

RECORDING FEE 0.00
TOTAL 0.00
Res#5803 Acct#999999
EWA TLC BIK#1573
Jan 25, 2001 09:02 am

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:
George G. Forrest
George G. Forrest
Deputy County Administrator

Resolution approved as to legal form and sufficiency:
Alfred A. Lacer
Alfred A. Lacer
Of Counsel

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

WHEREAS, St. Mary's County is eligible to apply for funds from the Maryland Community Development Block Grant Program through the Maryland Department of Housing and Community Development; and

WHEREAS, the Board of St. Mary's County Commissioners have held a public hearing on January 30 pursuant to due notice placed in the *The Enterprise*, a newspaper of general circulation, on Wednesday, January 17, 2001 and January 24, 2001 in accordance with Article 25, Section 3(r) of the Maryland Annotated code to obtain the input and comment from the public on the prevention or elimination of slums or blight and the Maryland Community Development Block Grant Program; and

WHEREAS, after receiving public comment and input, the Board of County Commissioners deems it to be in the best interest of the citizens of St. Mary's County to apply for funding under the Community Development Block Grant Program; and

WHEREAS, it is the intent of the Board of County Commissioners to acknowledge support for Maryland Community Development Block Grant Program to cure the blight and slum of the area known as Lexington Manor owned by the property owner, Club Properties Inc. Club Properties, Inc. affirmatively acknowledges that 72 buildings, containing two units each, are abandoned pursuant to the St. Mary's County Zoning Ordinance and are unfit for human habitation.

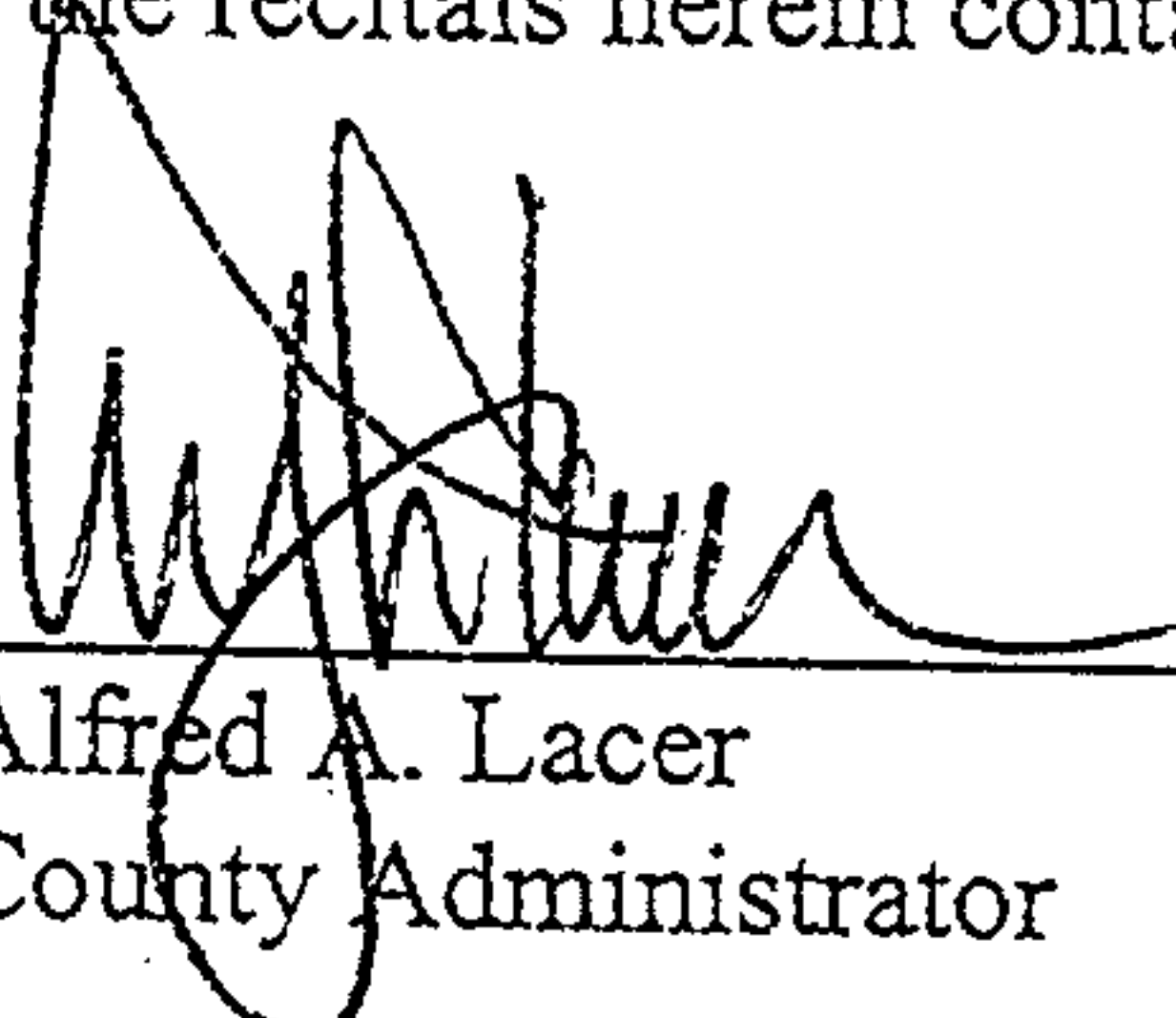
WHEREAS, upon the reliance of the certification submitted by Club Properties, Inc., the Board of County Commissioners is induced into supporting the Community Development Block Grant Program for Lexington Manor.

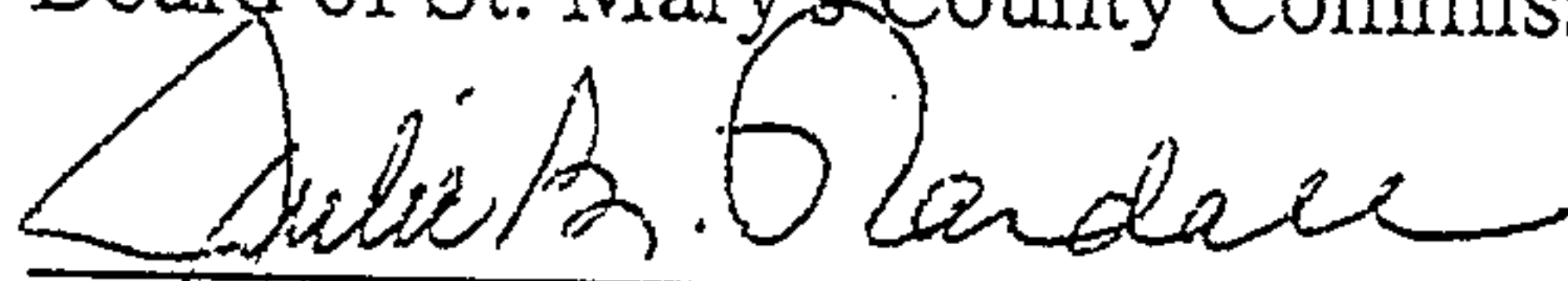
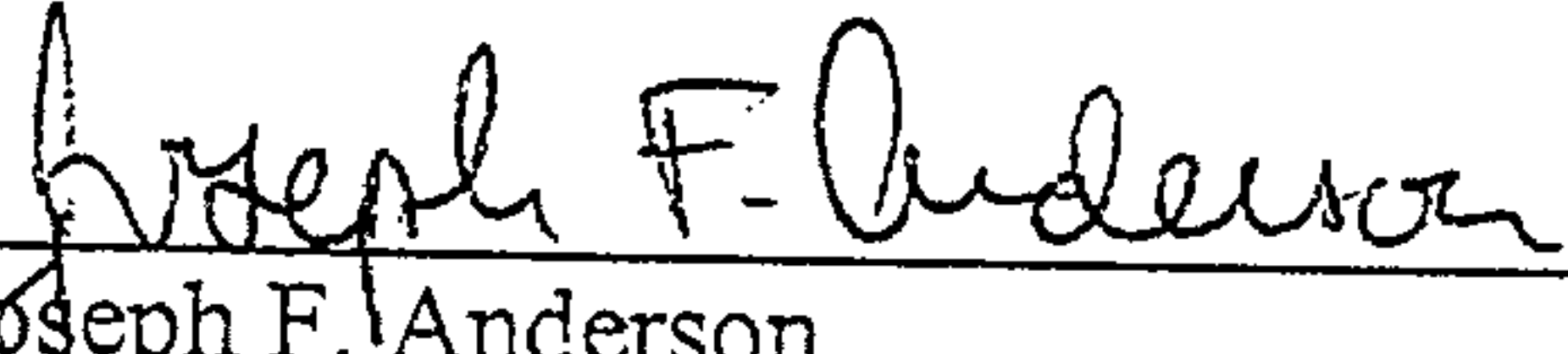
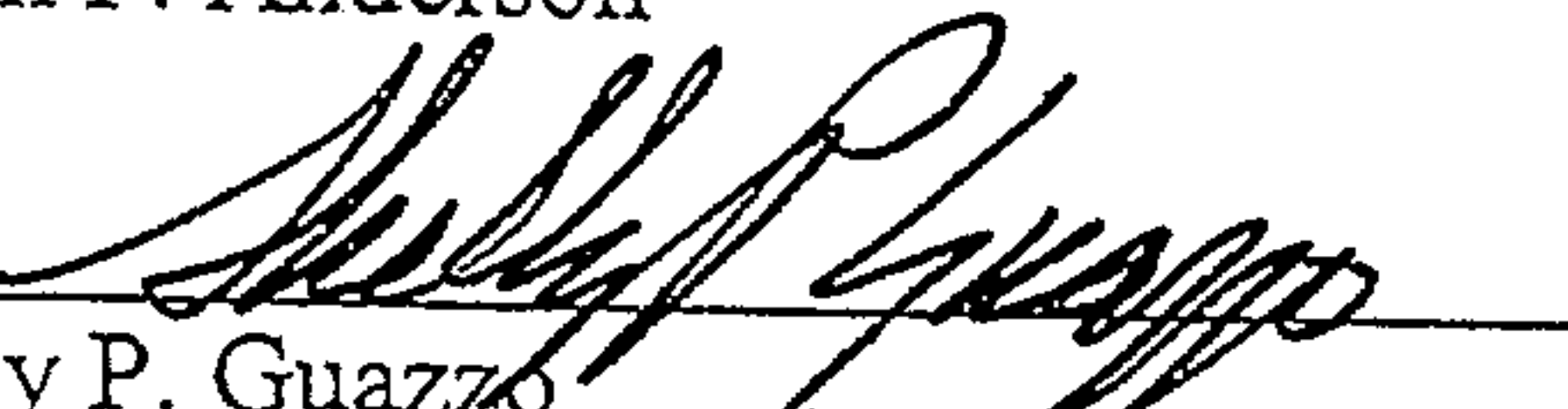
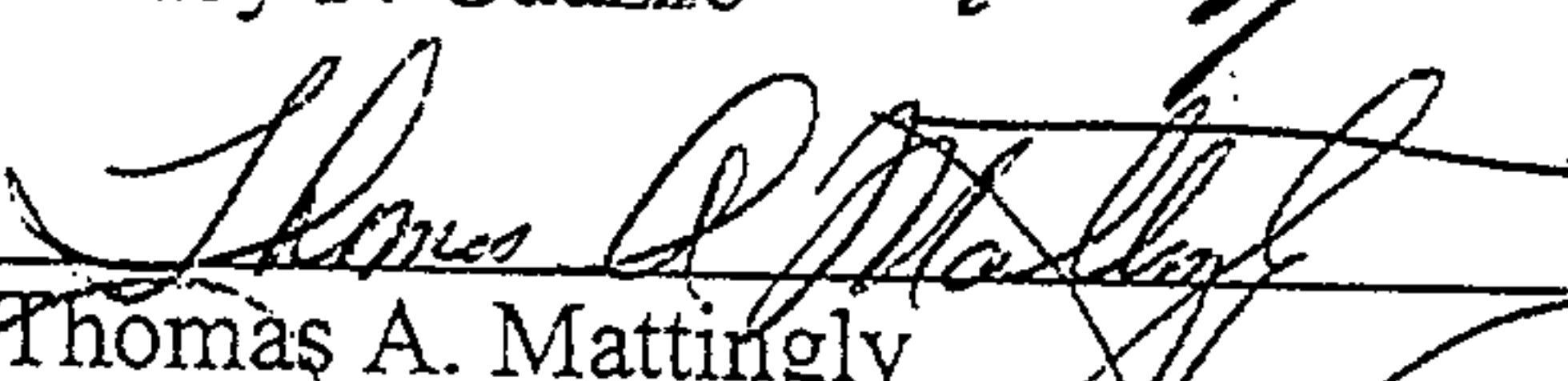
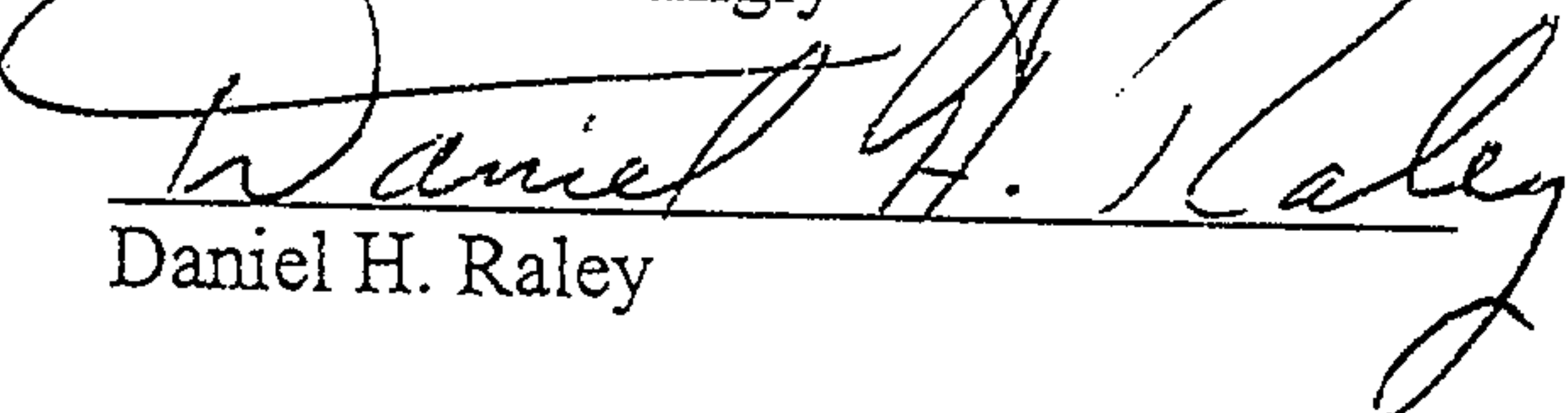
NOW, THEREFORE, BE IT RESOLVED, that the Board of St. Mary's County Commissioners will:

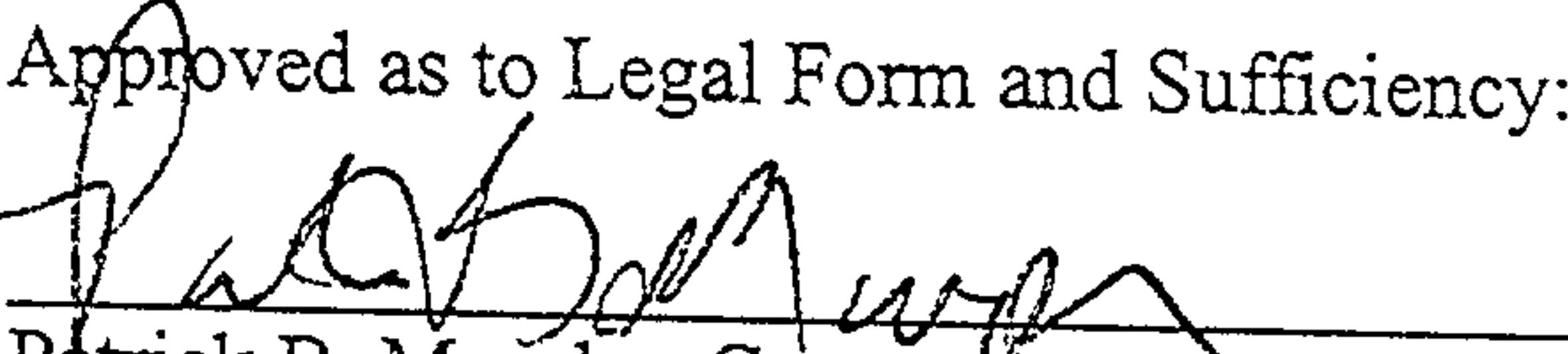
1. Submit an application to the Community Development Block Grant Program seeking \$597,661 to fund the demolition of 72 buildings that have been determined to be abandoned and unfit for human habitation within the community of Lexington Manor located in the 8th Election District of St. Mary's County and identified on Tax Map No. 43 of St. Mary's County as Parcels 258 and 276, pursuant to the representations made by the owner of Lexington Manor; the action taken herein is subject to further act of this Board subsequent to a ten (10) day comment period

RECORDING FEE 0.00
TOTAL 0.00
Res#5403 Acct#999999
EWA TLC BIK#262
Feb 06, 2001 09:23 am

2. That the recitals herein contained are incorporated into this Resolution.

Attest: 
Alfred A. Lacer
County Administrator

Board of St. Mary's County Commissioners

Julie B. Randall, President

Joseph F. Anderson

Shelby P. Guazzo

Thomas A. Mattingly

Daniel H. Raley

Approved as to Legal Form and Sufficiency:

Patrick B. Murphy, County Attorney

BOOK 0017 PAGE 0071

NO.: 2001-03
SUBJECT: Adoption of Hilton Ridge Drive, Renaissance Court and Mirage Court Hilton Ridge Estates Subdivision

RESOLUTION

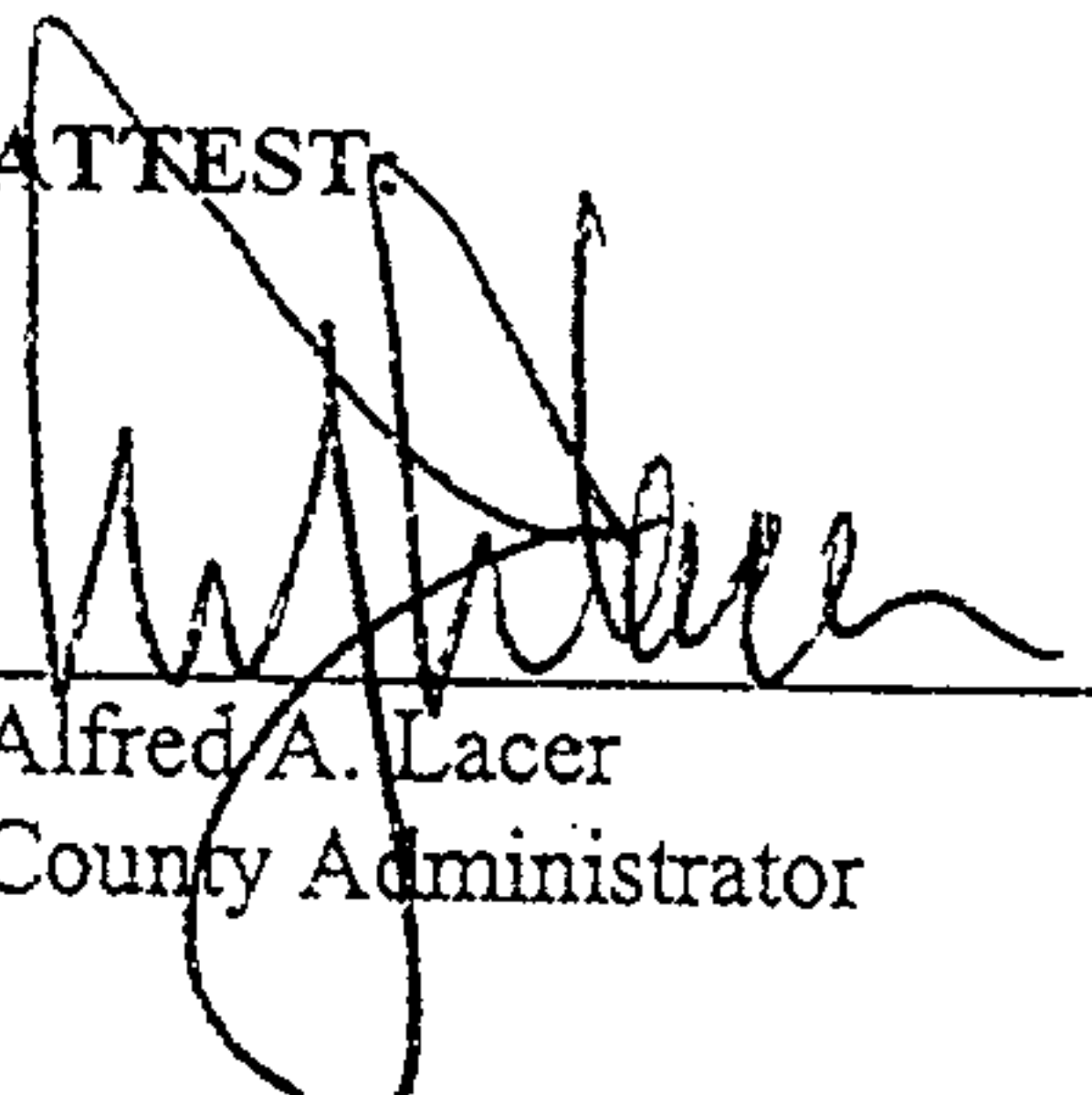
WHEREAS, pursuant to Section 109-2(B)(1) of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

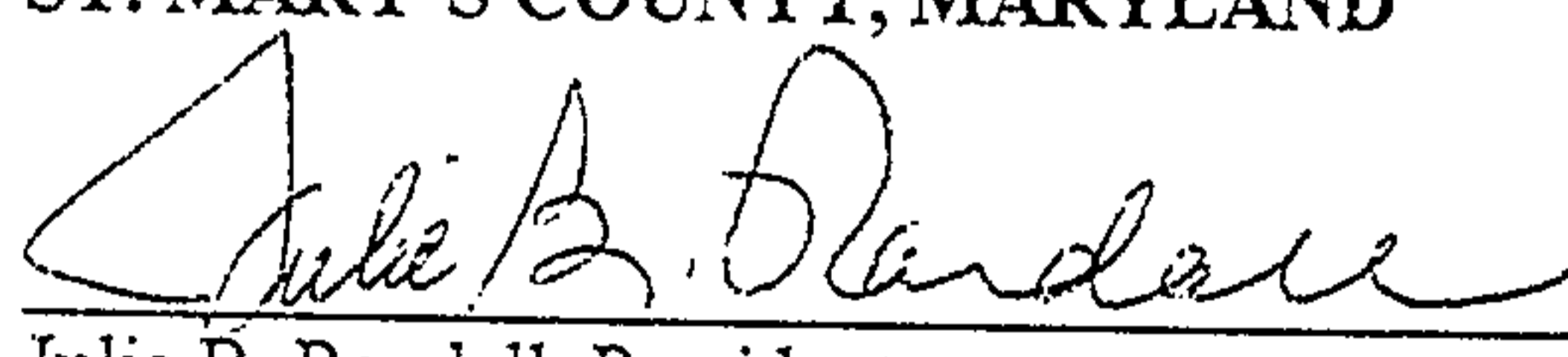
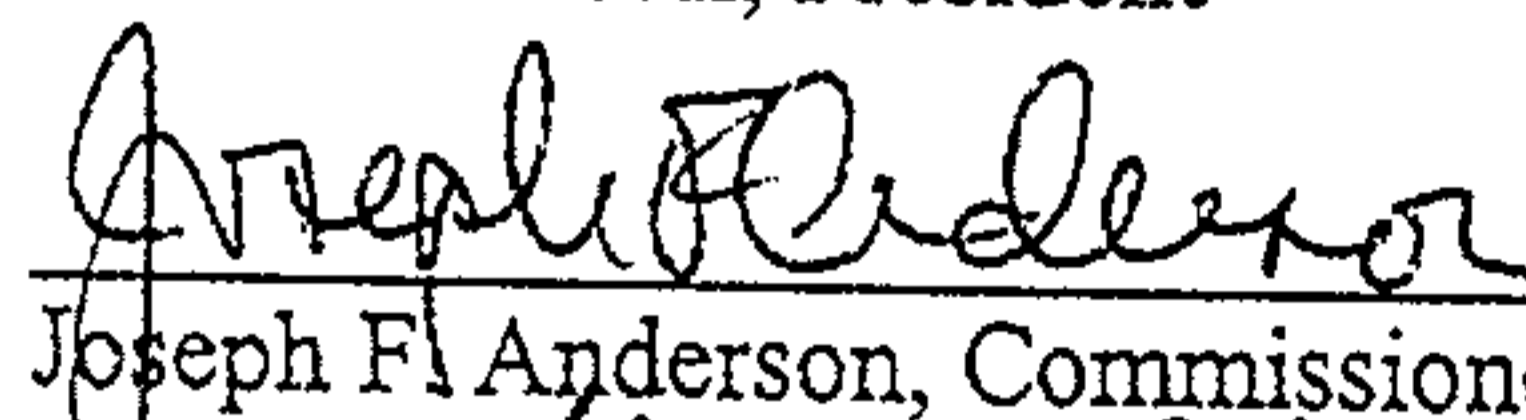

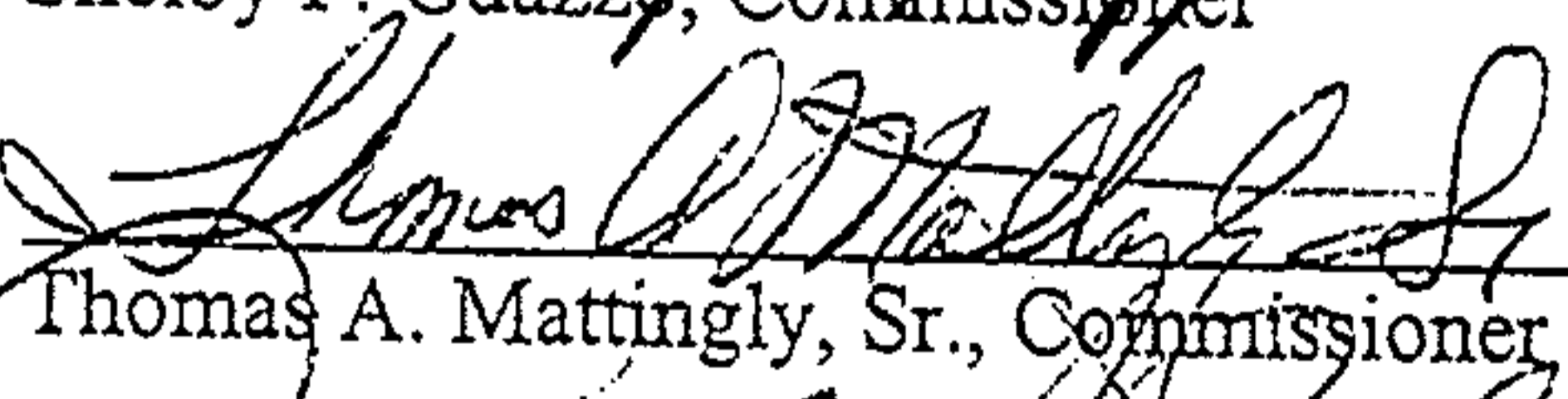
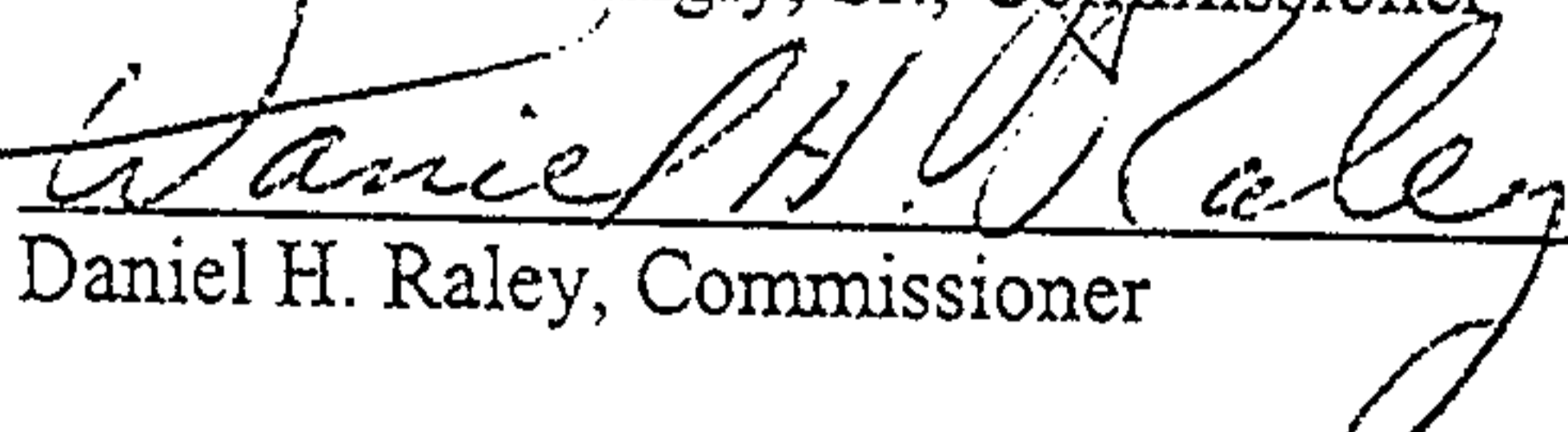
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated January 29, 1999, and Record Plat recorded at EWA 47, Page 88, for Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Hilton Ridge Drive, County Route 30309, from Station 0+00 to Station 16+64.23, Renaissance Court, County Route 31310, from Station 0+00 to Station 5+50, and Mirage Court, County Route 31311, from Station 0+00 to Station 6+44.05, located in the Hilton Ridge Estates Subdivision, Section 1, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Page 88) meet the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311, into the County's Highway Maintenance System.


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
Res#5203 Rpt#999999
EWA TLC BIR#362
Feb 06, 2001 09:23 am

ATTEST

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR 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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

NO.: 2001-04
SUBJECT: Hilton Ridge Drive, Renaissance Court, and Mirage Court
Speed Limit
Hilton Ridge Estates Subdivision

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311, located in Section 1 of the Hilton Ridge Estates Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 47, Page 88, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

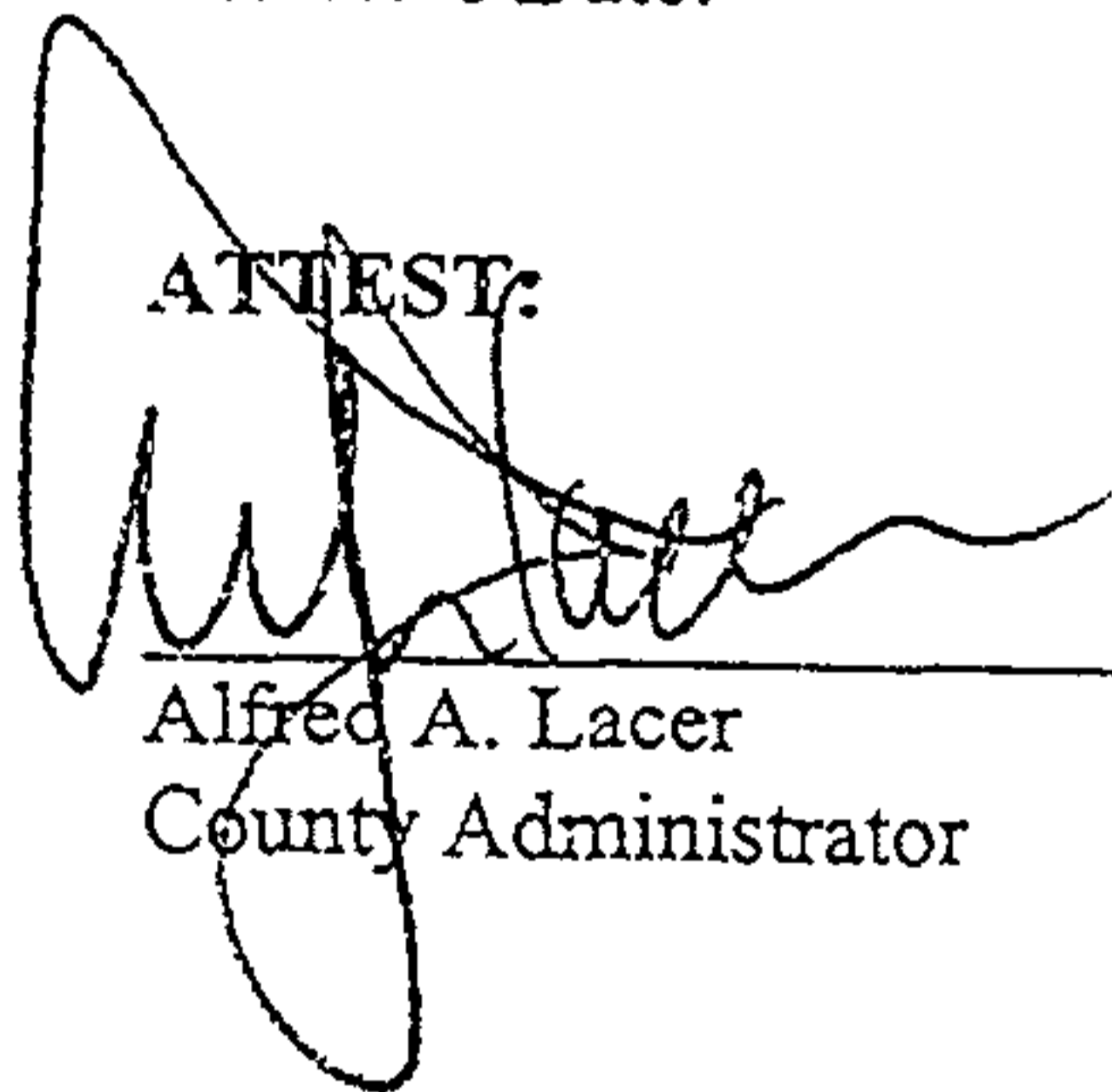
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route, 31311.

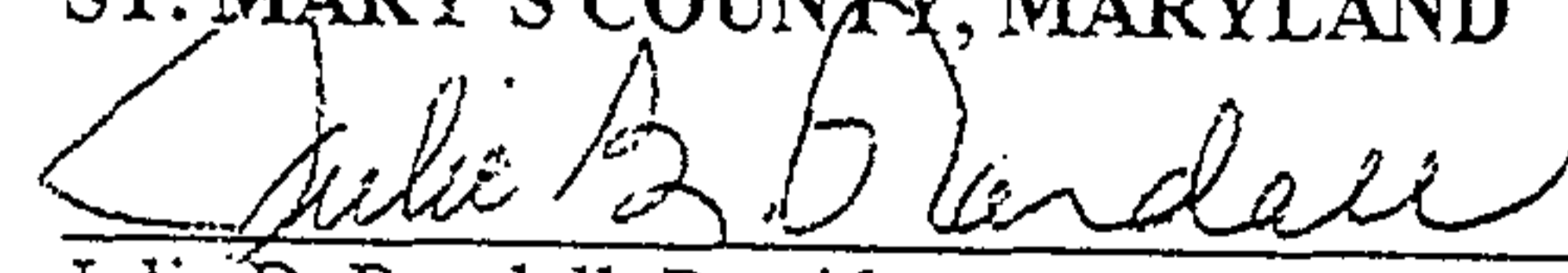
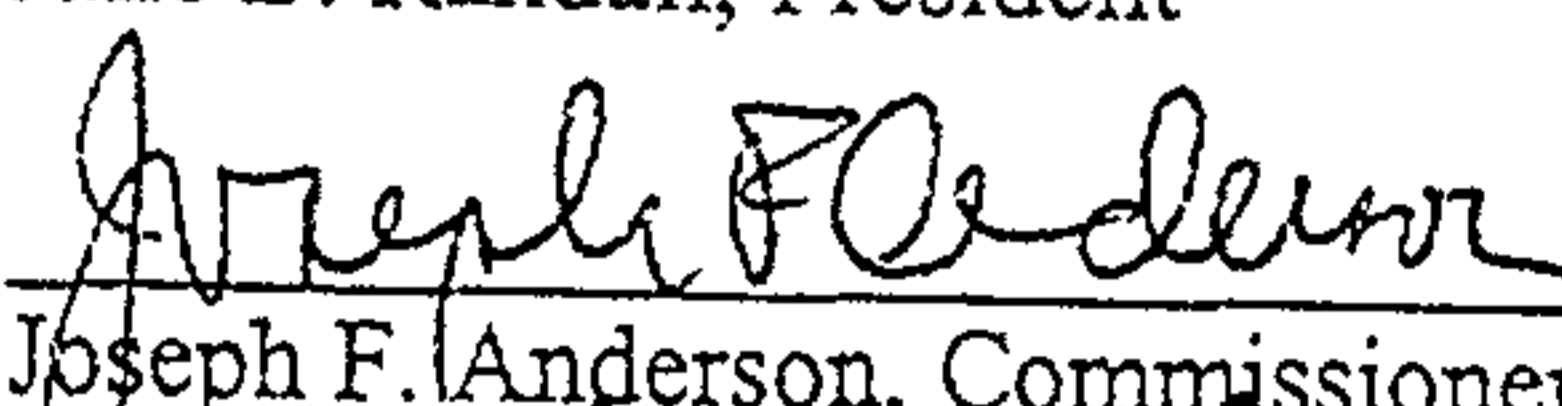
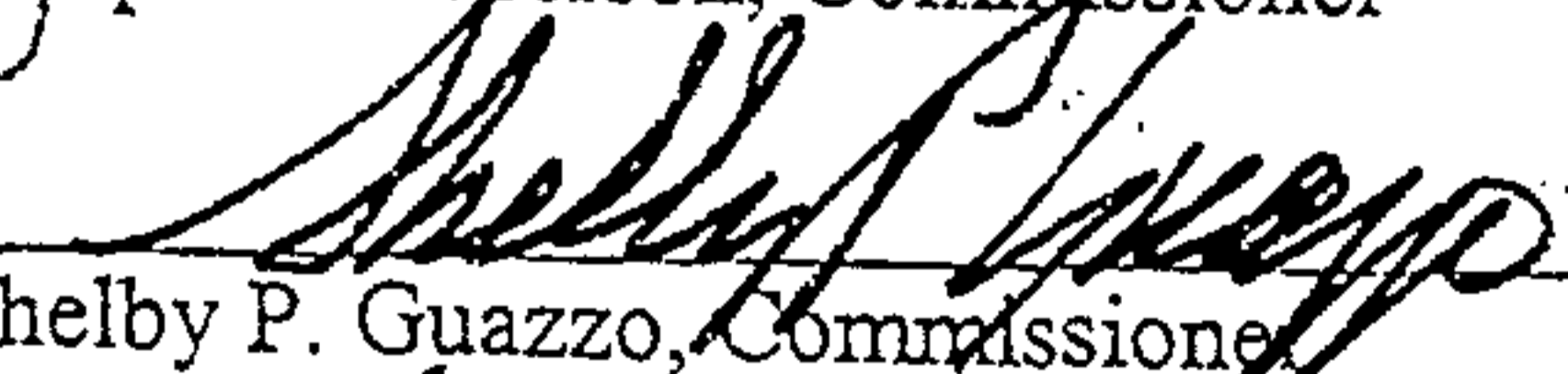
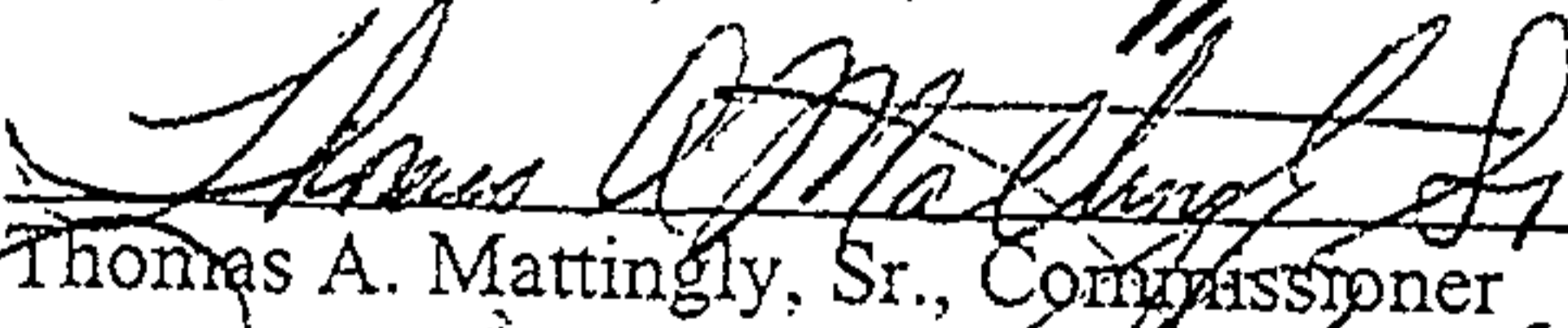

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Hilton Ridge Drive, Renaissance Court, and Mirage Court is greater than reasonable or safe, and that Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311, located in Section 1 of the Hilton Ridge Estates Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference; EWA 47, Page 88), be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

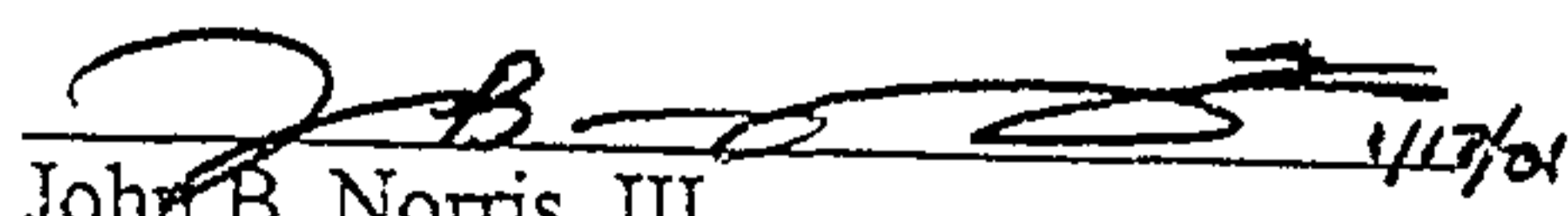
Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
Res#5493 Acct#999999
EWA TLC 01/4/01
Feb 06, 2001 09:24 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Maryland Route 5 and Hilton Ridge Drive, County Route 31309; Hilton Ridge Drive and Renaissance Court, County Route 31310; and Hilton Ridge Drive and Mirage Court, County Route 31311, located in Section 1 of the Hilton Ridge Estates Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 47, Page 88, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Hilton Ridge Drive, County Route 31309, at the intersection with Maryland Route 5, Renaissance Court, County Route 31310, at the intersection with Hilton Ridge Drive, and Mirage Court, County Route 31311, at the intersection with Hilton Ridge Drive.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Hilton Ridge Drive, County Route 31309, and Maryland Route 5, Renaissance Court, County Route 31310, and Hilton Ridge Drive and Mirage Court, County Route 31311, and Hilton Ridge Drive; and that in the interest of public safety and to eliminate a hazardous condition, Hilton Ridge Drive, County Route 31309, Renaissance Court, County Route 31310, and Mirage Court, County Route 31311, further identified as being located in the Hilton Ridge Estates Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Page 88) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers.

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Hilton Ridge Drive, County Route 31309, at the intersection with Maryland Route 5, Renaissance Court, County Route 31310, at the intersection with Hilton Ridge Drive, and Mirage Court, County Route 31311, at the intersection with Hilton Ridge Drive, as necessary to identify Hilton Ridge Drive, Renaissance Court and Mirage Court as Stop Streets.

Those voting aye: ALL

Those voting nay: _____

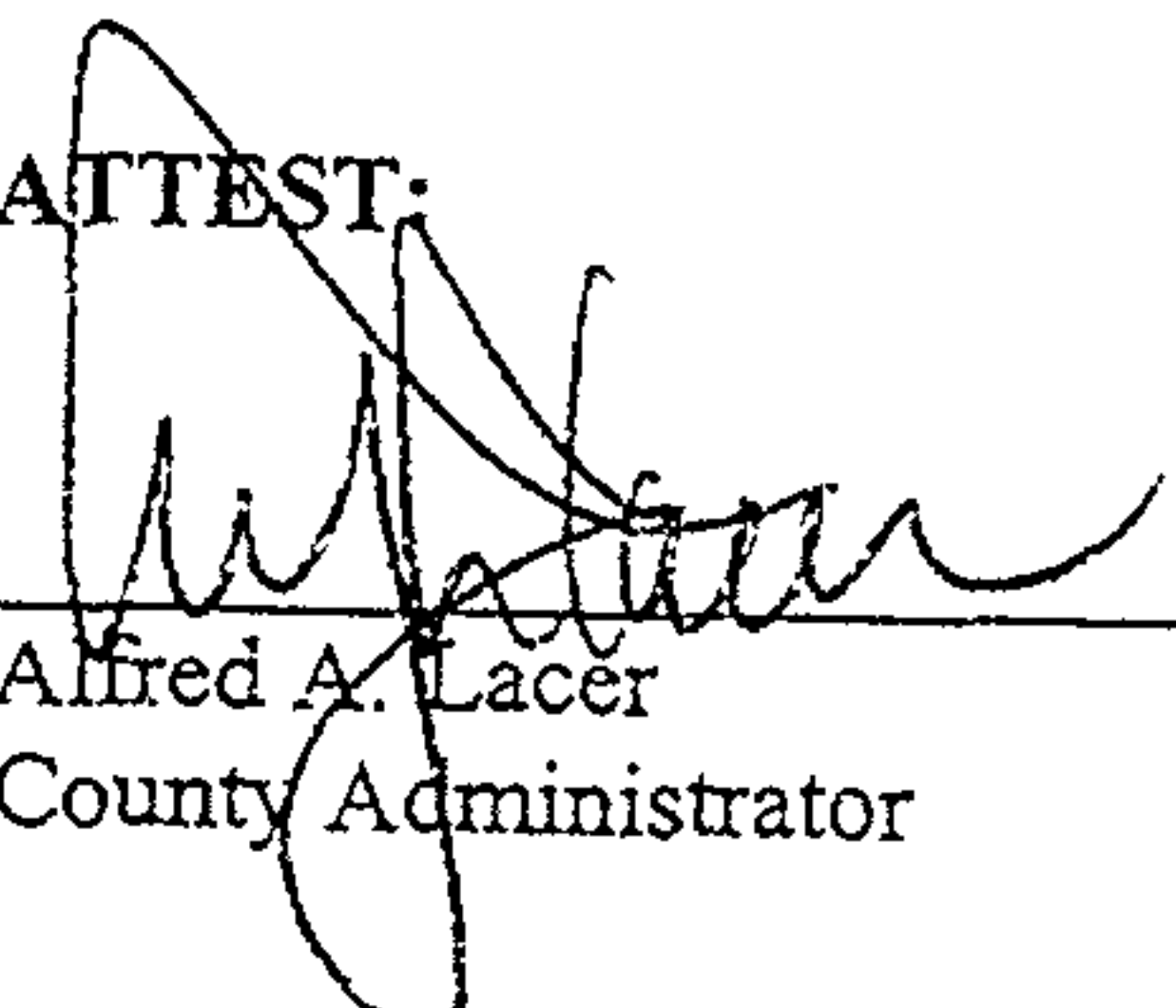
Those abstaining or absent: _____

RECORDING FEE 0.00
TOTAL 0.00
Res#3203 Rcr#1333333
EWA TLC BIK#362
Feb 06, 2001 09:24 am

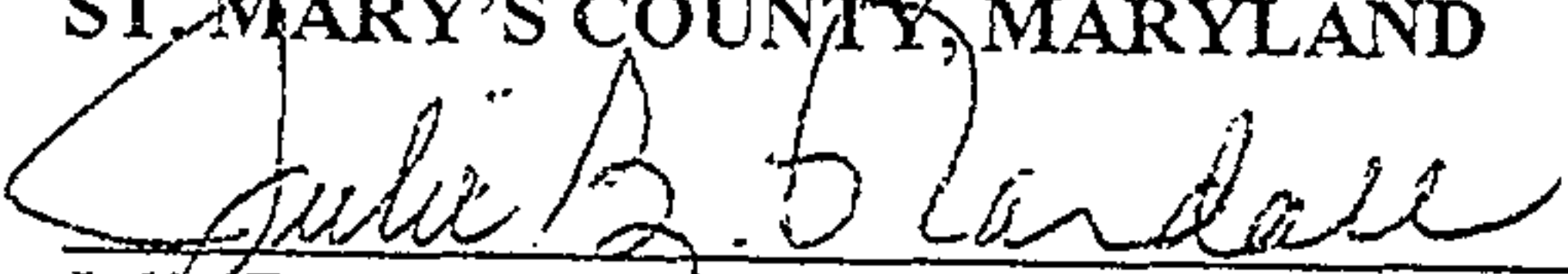
Date of Adoption: 01/30/01

Effective Date: 01/30/01


ATTEST:

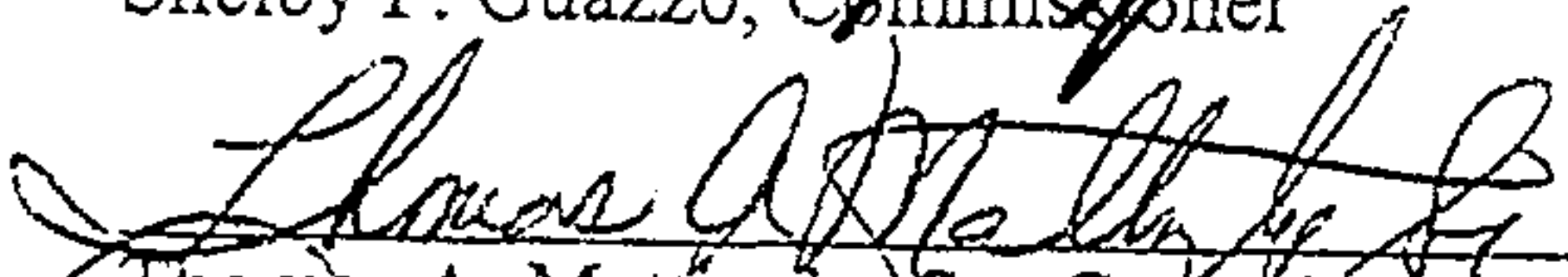

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR 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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

BOOK 0017 PAGE 074

NO.: 2001-06
SUBJECT: Adoption of Cheryl Court
Rustic Hills Subdivision,
Section 4

RESOLUTION

WHEREAS, pursuant to Section 109-2(B)(1) of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

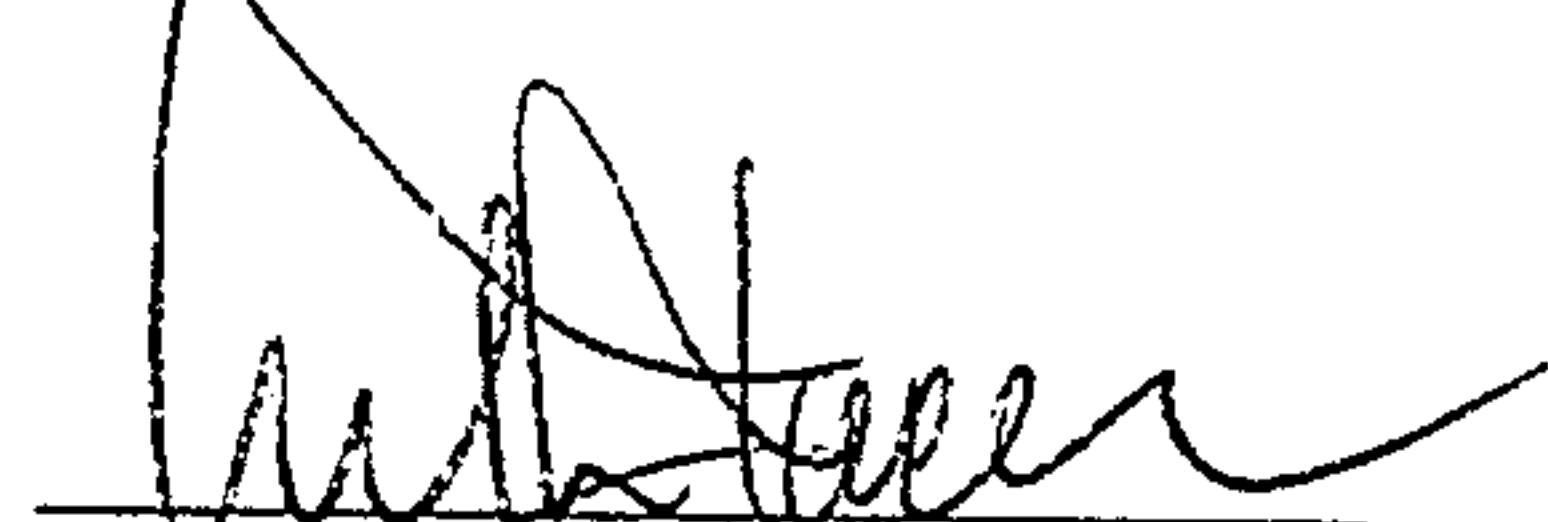
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated October 18, 1998 and Record Plat recorded at EWA 47, Page 52, for Cheryl Court, County Route 31302.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Cheryl Court, County Route 31302, from Station 0+12 to Station 26+21, located in the Rustic Hills Subdivision, Section 4, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Page 52) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Cheryl Court, County Route 31302, into the County's Highway Maintenance System.

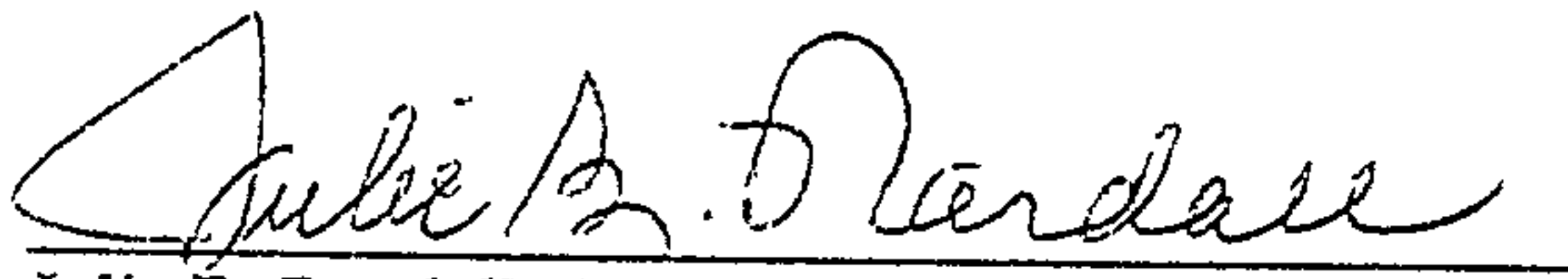

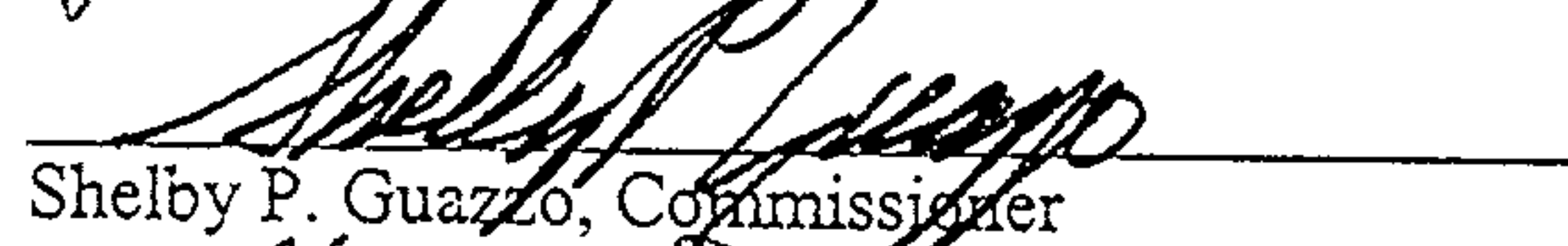
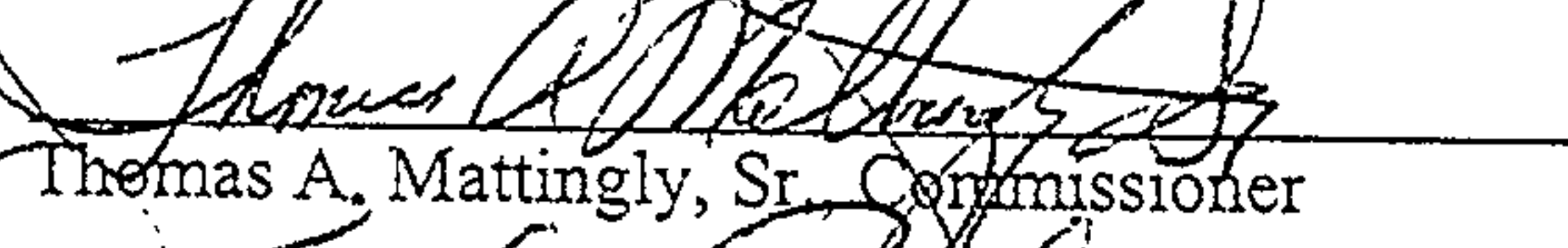

Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
Res#CHMS Rcpt#999999
EWA TLC BIK#362
Feb 06, 2001 09:24 am


ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

NO.: 2001-07
SUBJECT: Cheryl Court
Speed Limit
Rustic Hills Subdivision,
Section 4

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Cheryl Court, County Route 31302, located in Section 4 of the Rustic Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 47, Page 52, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Cheryl Court, County Route, 31302.

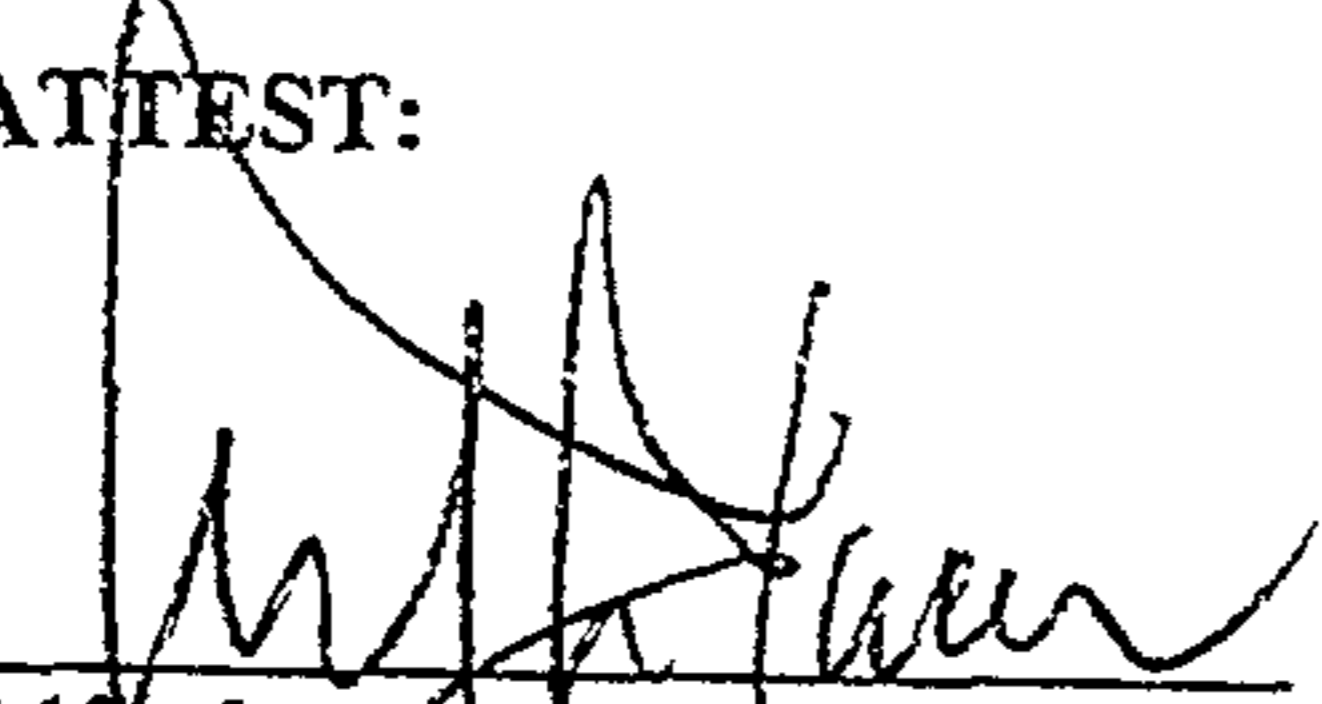
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Cheryl Court is greater than reasonable or safe, and that Cheryl Court, County Route 31302, located in Section 4 of the Rustic Hills Subdivision, Fifth (5th) Election District (Plat Reference: EWA 47, Page 52) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

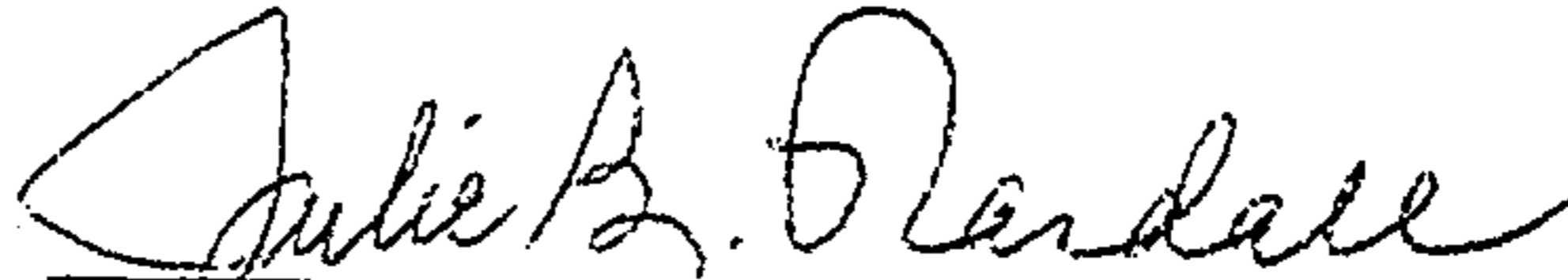
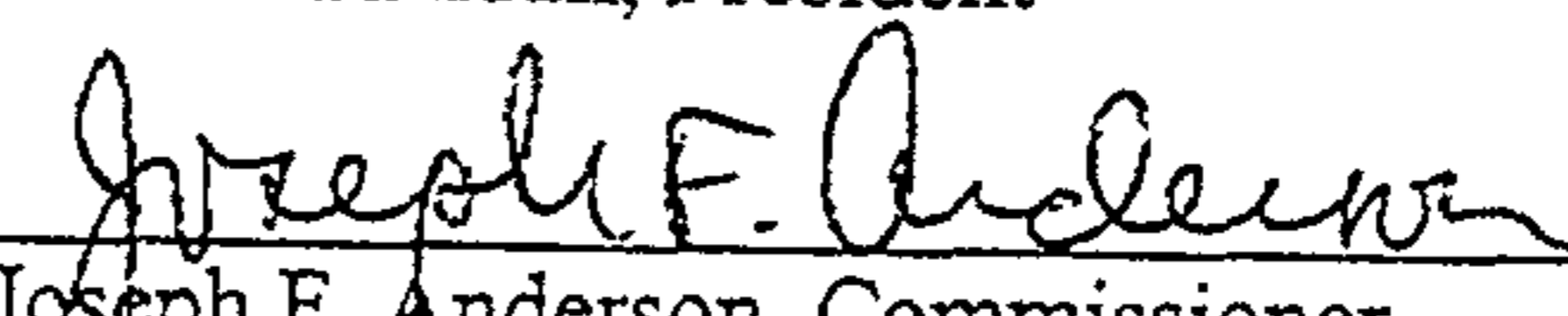
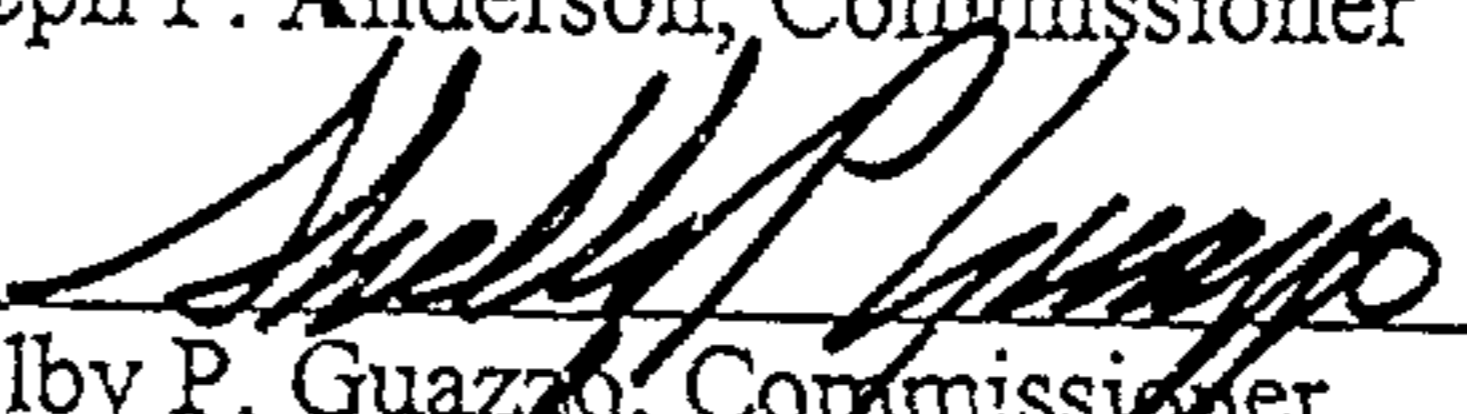
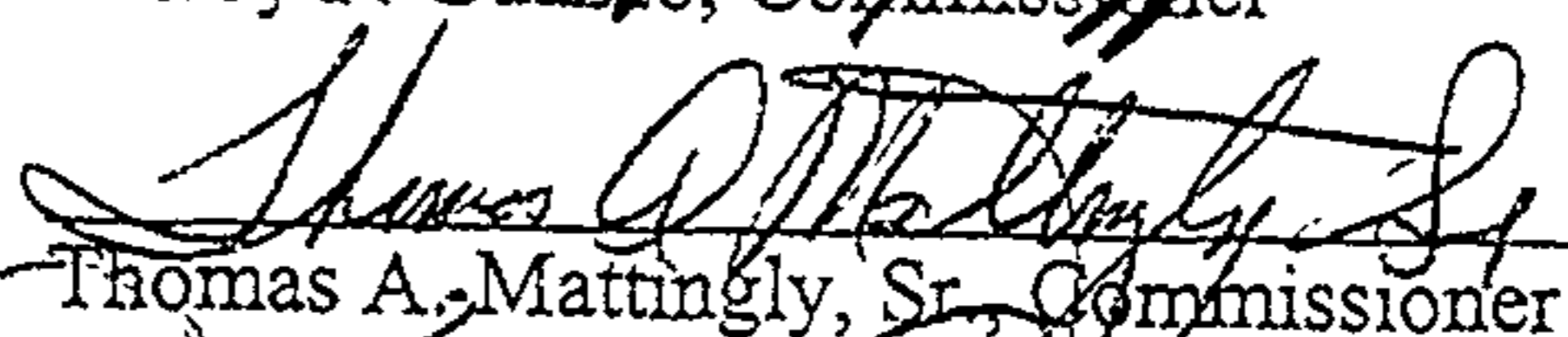
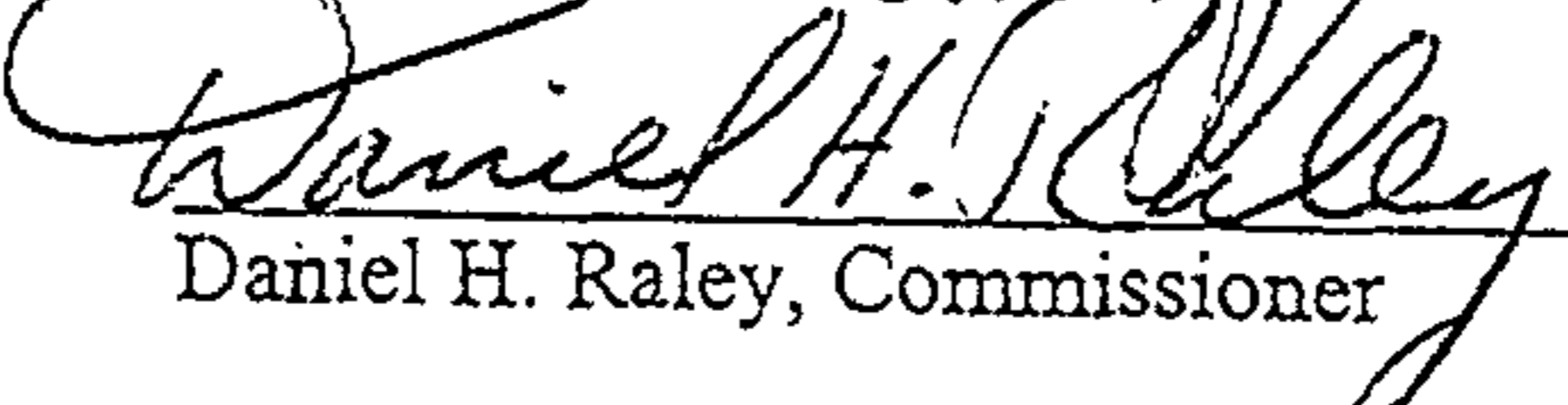
BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____

Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
Re: EWA 47 Page 52
EWA TLC R14362
Feb 06, 2001 09:25 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

John B. Norris, III
Deputy County Attorney

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Golden Beach Road and Cheryl Court, County Route 31302, located in Section 4 of the Rustic Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 47, Page 52, as a threat to public safety and a hazardous condition due to the absence of a traffic control device at this intersection; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at this intersection by means of a traffic control device; specifically, a stop sign on Cheryl Court, County Route 31302, at the intersection with Golden Beach Road.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Golden Beach Road and Cheryl Court, County Route 31302, and that in the interest of public safety and to eliminate a hazardous condition, Cheryl Court, County Route 31302, further identified as being located in Section 4 of the Rustic Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 47, Page 52) shall be designated as a Stop Street, which is a reasonable exercise of this Board's police powers.

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect a traffic control device, specifically a stop sign, on Cheryl Court, County Route 31302, at the intersection with Golden Beach Road, as necessary to identify Cheryl Court, County Route 31302, as a Stop Street.

Those voting aye: ALL

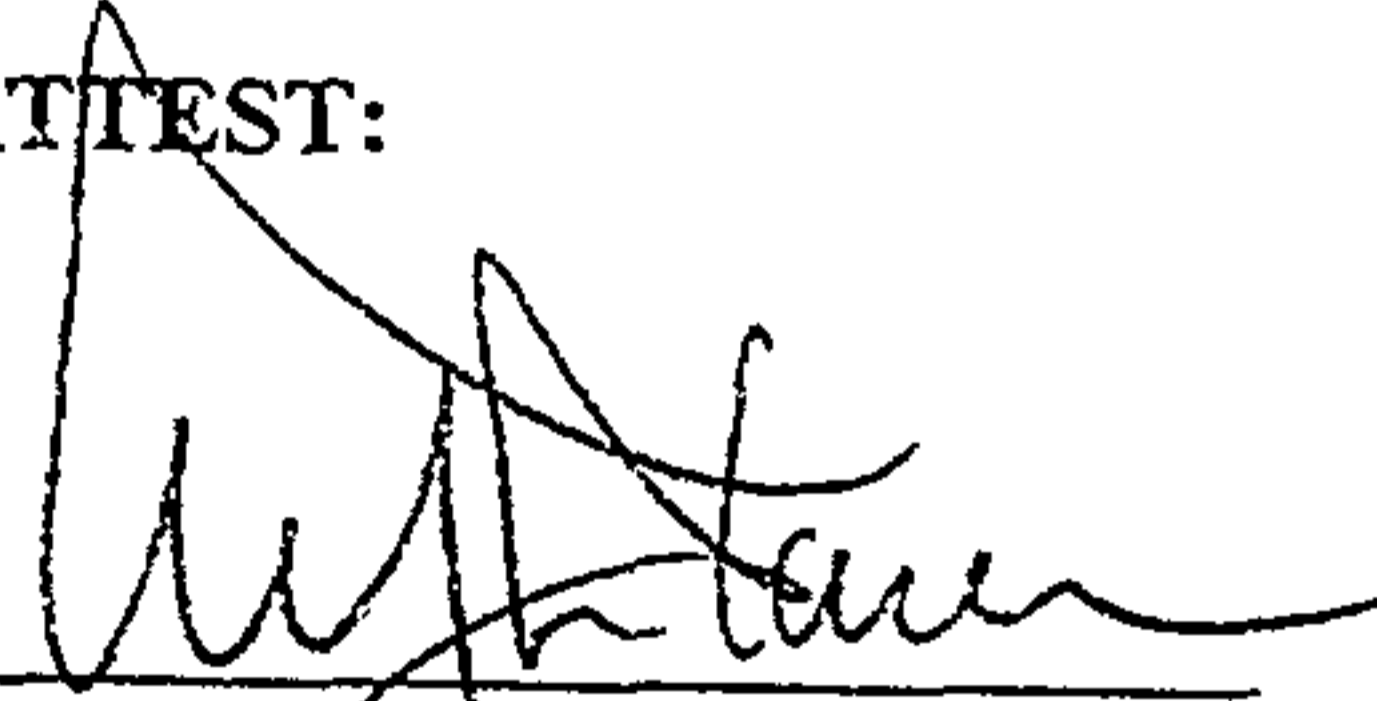
Those voting nay: _____

Those abstaining or absent: _____

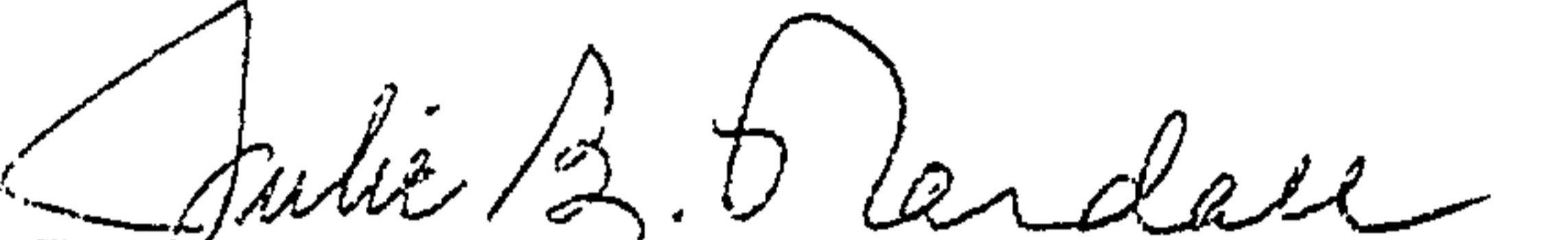
Date of Adoption: 01/30/01

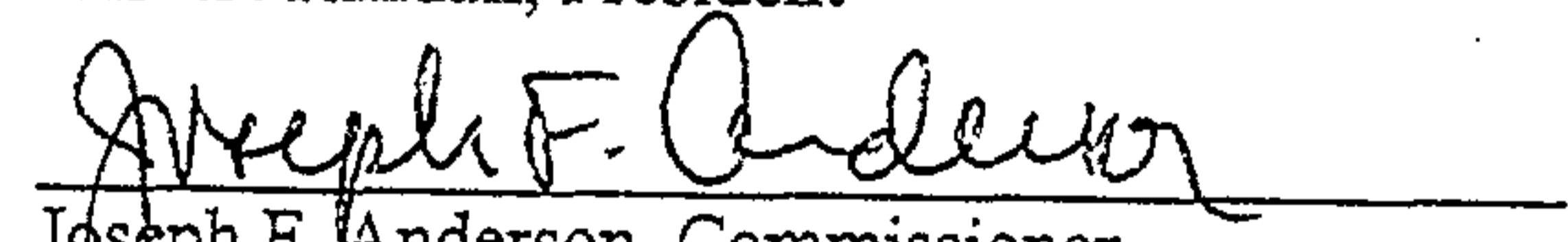
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
REC-5803 REC-4999999
EWA TLC BIK#382
Feb 06, 2001 09:25 am

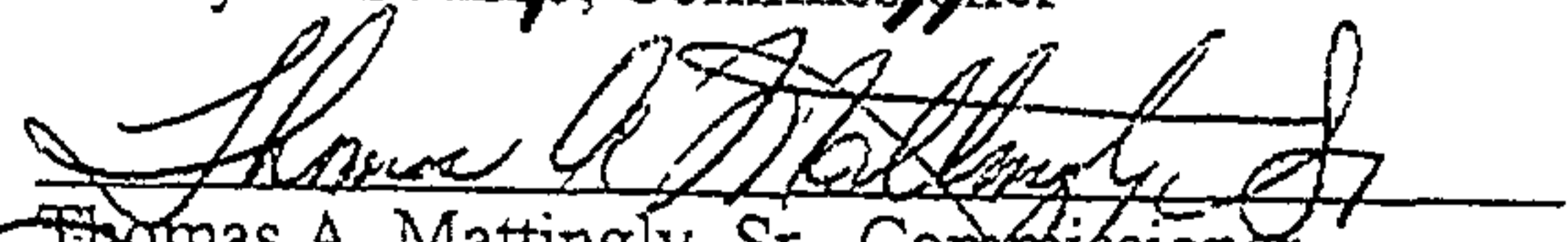
ATTEST:

Alfred A. Lacer
County Administrator

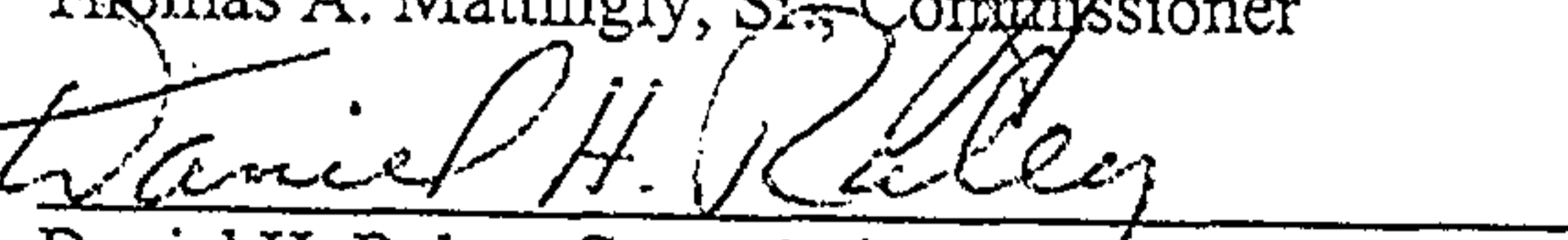
BOARD OF COUNTY COMMISSIONERS FOR ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

BOOK 0017 PAGE 0577

NO.: 2001-09
SUBJECT: Adoption of Bateman Court, Spriggs Court and Read Court Willowbrook Subdivision

RESOLUTION

WHEREAS, pursuant to Section 109-2(B)(1) of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated April 7, 1998 and Record Plat recorded at EWA 46, Page 9, for Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that Bateman Court, County Route 31306, from Station 0+22 to Station 18+70, Spriggs Court, County Route 31307, from Station 0+22 to Station 8+66, and Read Court, County Route 31308, from Station 0+09 to Station 3+40, located in the Willowbrook Subdivision, Sixth (6th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 46, Page 9) meet the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308, into the County's Highway Maintenance System.

Those voting aye: ALL

Those voting nay: _____

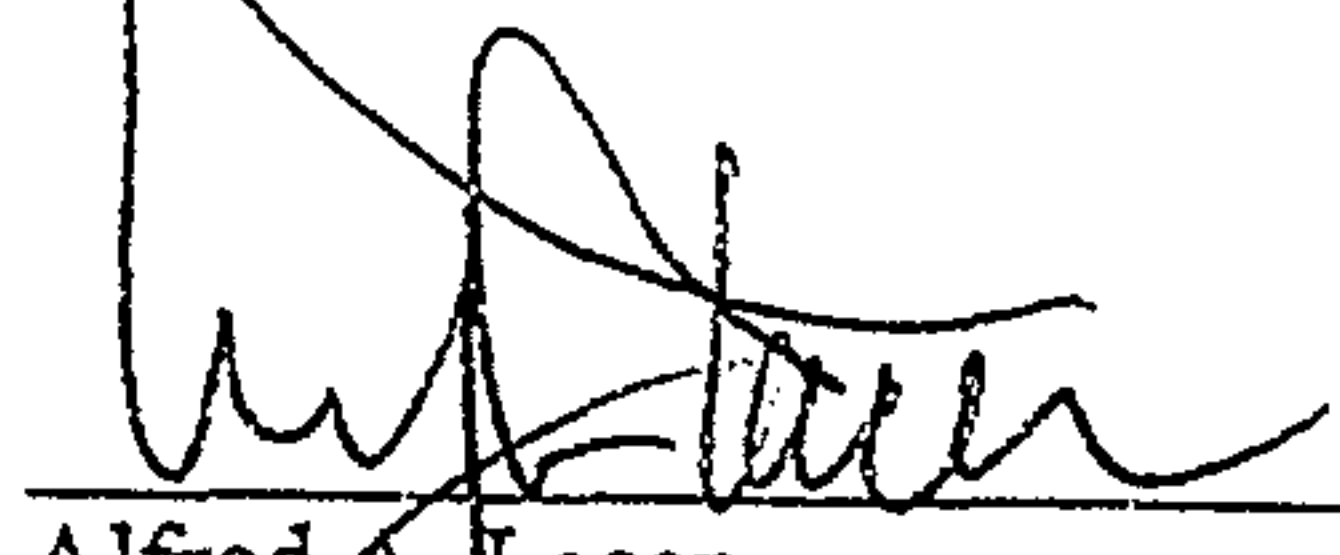
Those abstaining or absent: _____

Date of Adoption: 01/30/01

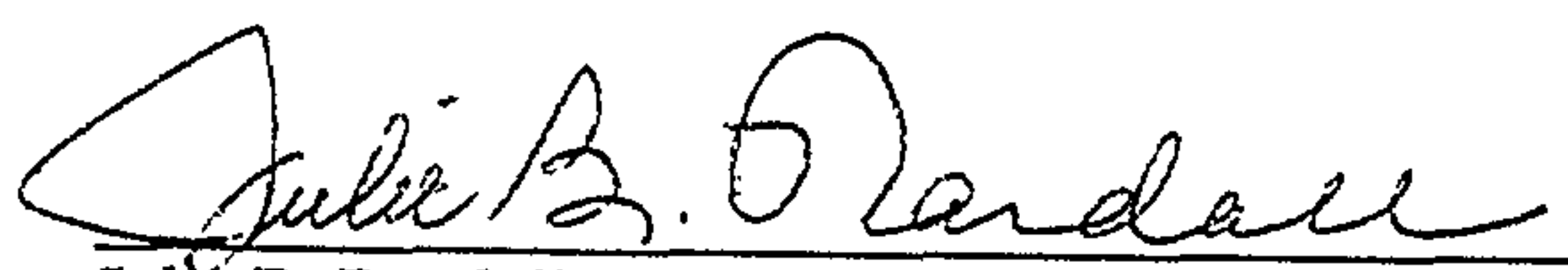
Effective Date: 01/30/01

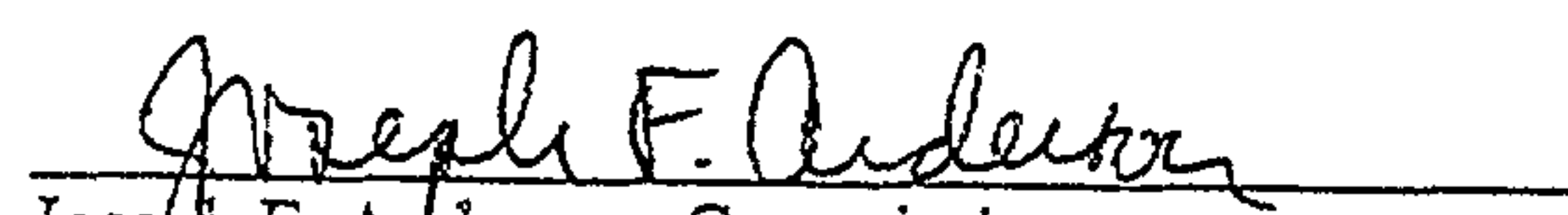
RECORDING FEE 0.00
TOTAL 0.00
Res#SWB3 Acct#999999
EWA TLC BIK#362
Feb 06, 2001 09:26 am

ATTEST:

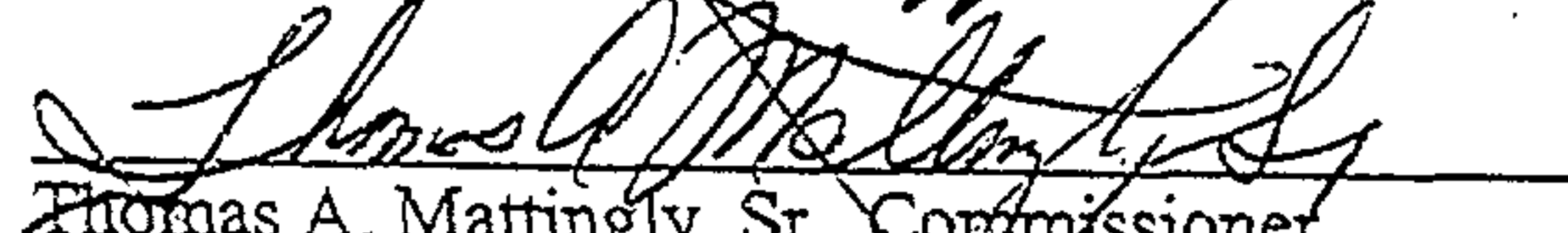

Alfred A. Lacer
County Administrator


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


Julie B. Randall, President



Joseph F. Anderson, Commissioner


Shelby P. Guarzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

NO.: 2001-10
SUBJECT: Bateman Court, Spriggs Court and Read Court Speed Limit Willowbrook Subdivision

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308, located in the Willowbrook Subdivision, Sixth (6th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 46, Page 9, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Bateman Court, County Route, 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308.


NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Bateman Court, Spriggs Court, and Read Court is greater than reasonable or safe, and that Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308, located in the Willowbrook Subdivision, Sixth (6th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 46, Page 9) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

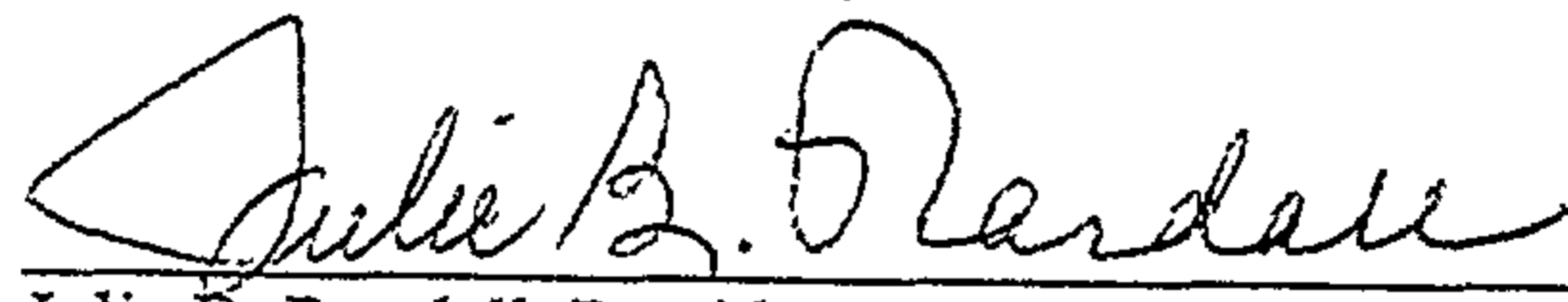
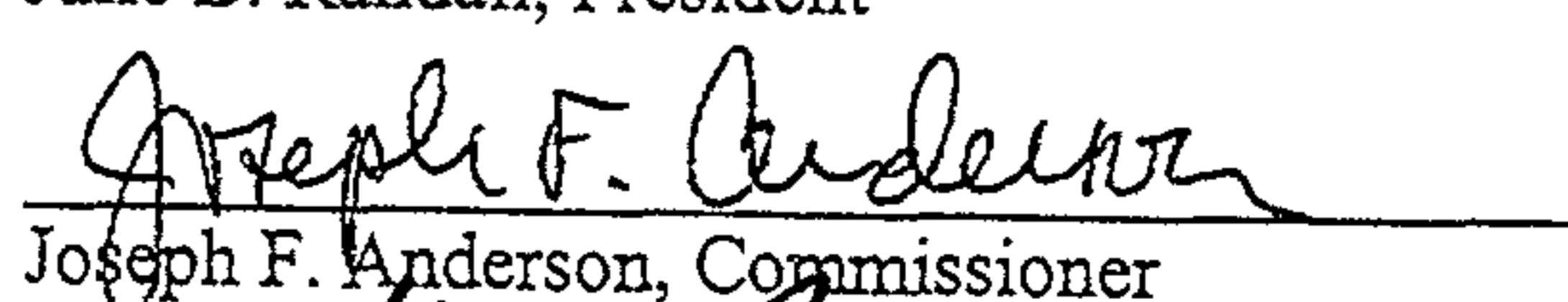

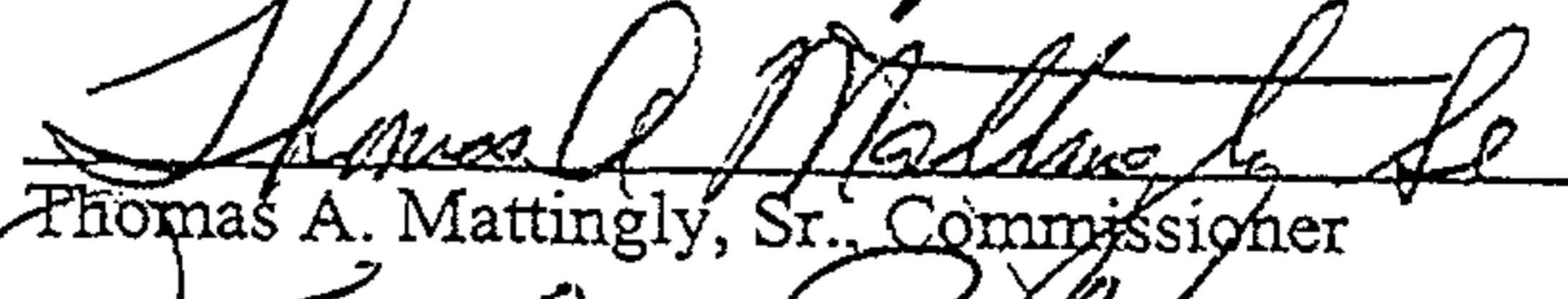

Those voting aye: ALL
Those voting nay:
Those abstaining or absent:
Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
RESUBS REC-14999999
EWA TLC BK#362
Feb 06, 2001 09:28 AM


ATTEST:


Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR 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

APPROVED AS TO LEGAL FORM AND SUFFICIENCY:


John B. Norris, III
Assistant County Attorney

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Joy Chapel Road and Bateman Court, County Route 31306; Joy Chapel Road and Spriggs Court, County Route 31307; and Bateman Court and Read Court, County Route 31308, located in the Willowbrook Subdivision, Sixth (6th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 46, Page 9, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

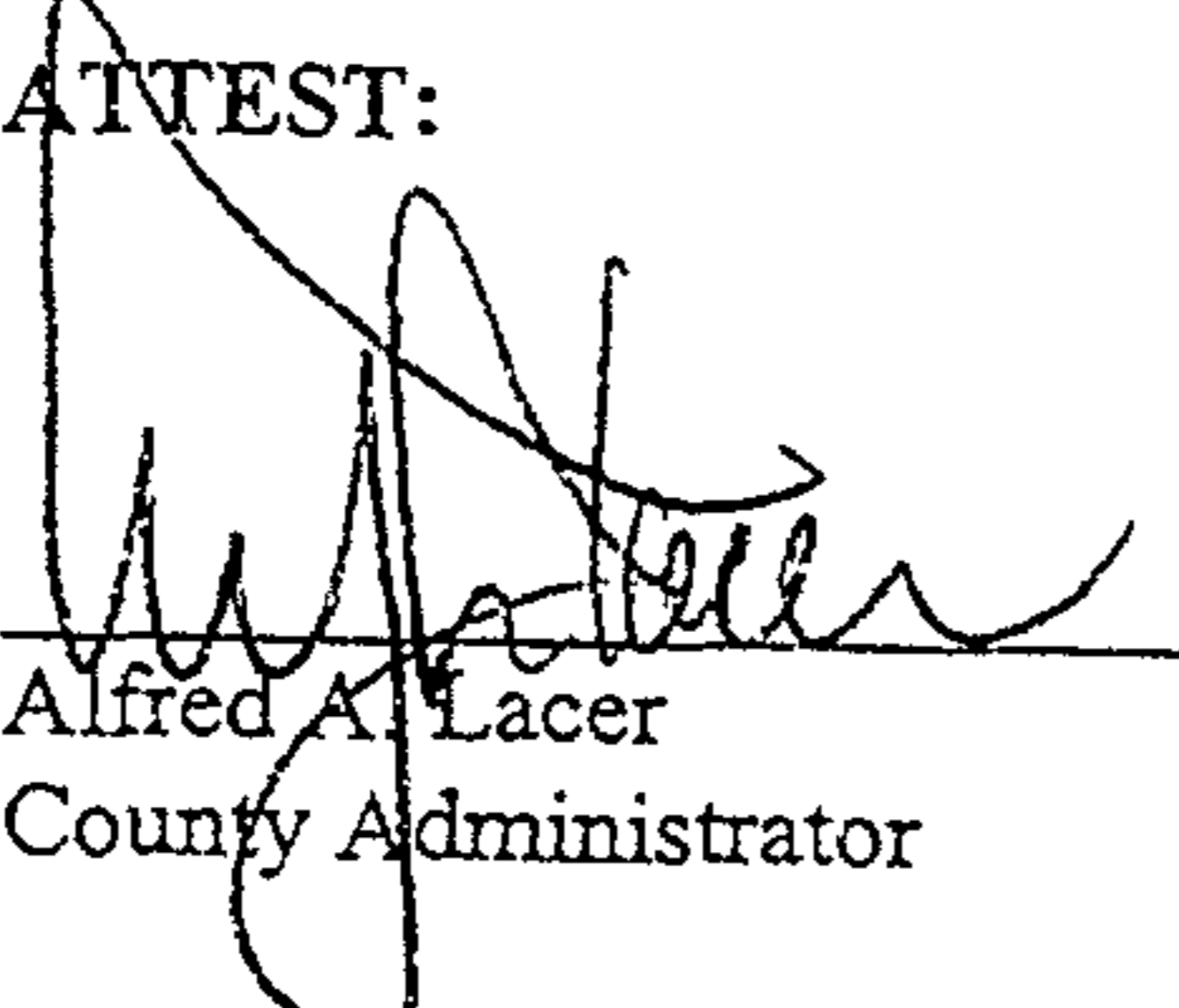
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Bateman Court, County Route 31306, at the intersection with Joy Chapel Road, Spriggs Court, County Route 31307, at the intersection with Joy Chapel Road, and Read Court, County Route 31308, at the intersection with Bateman Court.

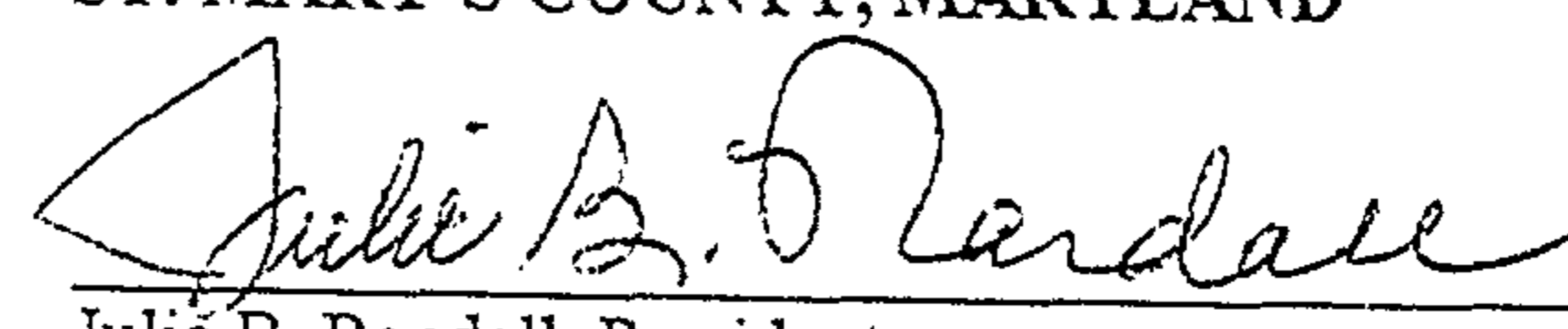
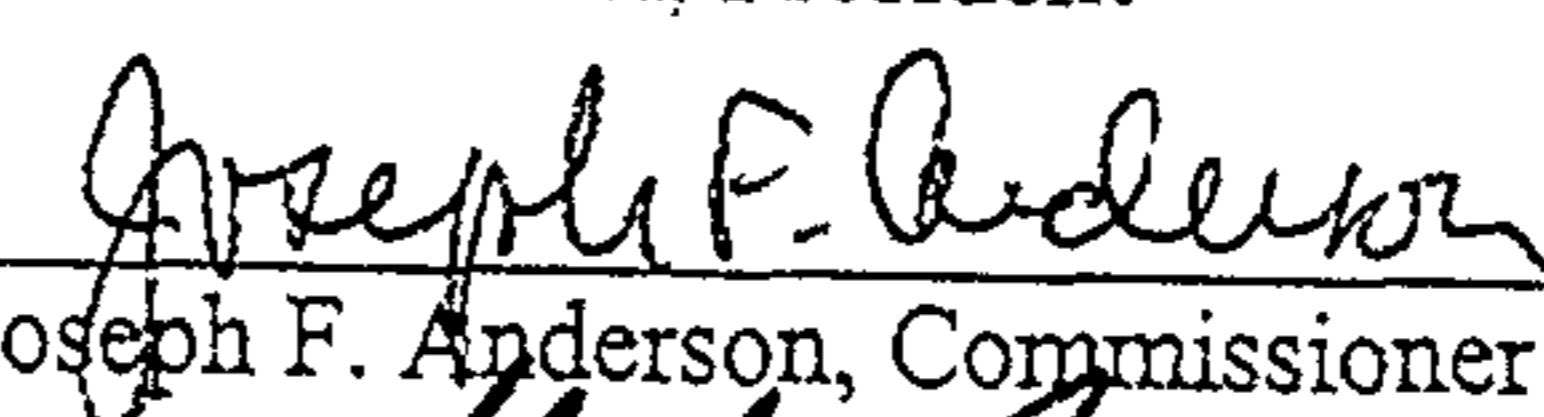

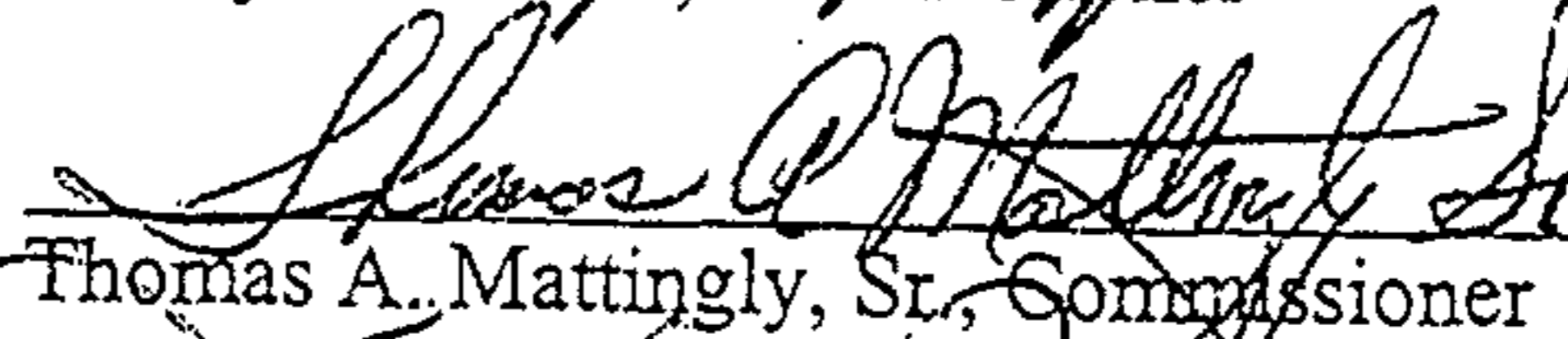
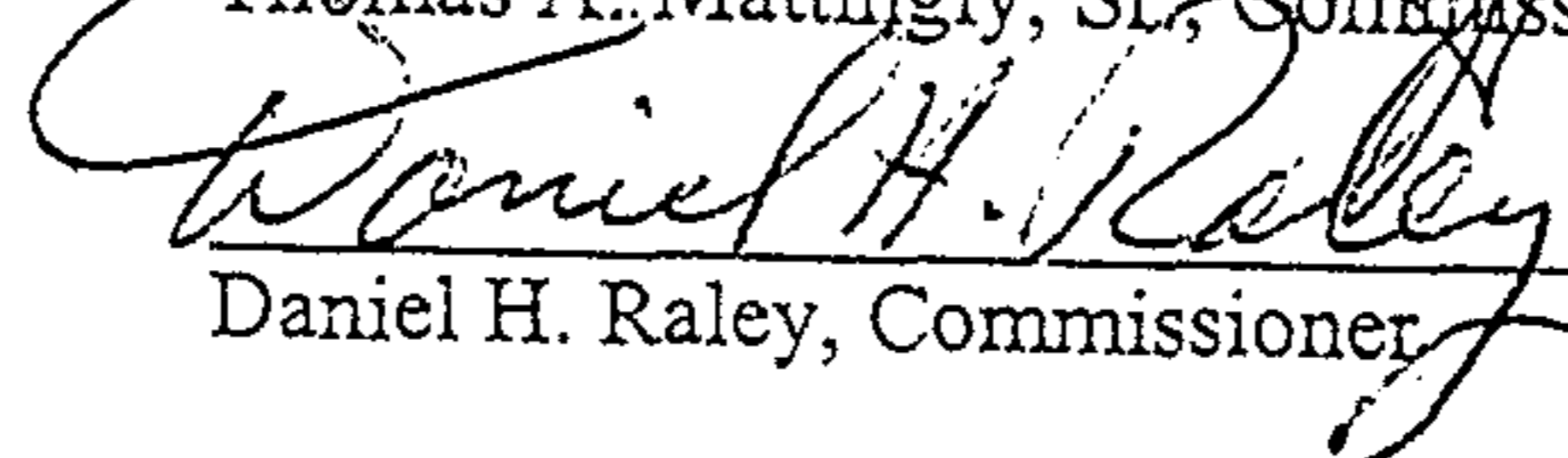
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of Bateman Court, County Route 31306, and Joy Chapel Road; Spriggs Court, County Route 31307, and Joy Chapel Road; and Read Court, County Route 31308, and Bateman Court; and that in the interest of public safety and to eliminate a hazardous condition, Bateman Court, County Route 31306, Spriggs Court, County Route 31307, and Read Court, County Route 31308, further identified as being located in the Willowbrook Subdivision, Sixth (6th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 46, page 9) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Bateman Court, County Route 31306, at the intersection with Joy Chapel Road, Spriggs Court, County Route 31307, at the intersection with Joy Chapel Road, and Read Court, County Route 31308, at the intersection with Bateman Court, as necessary to identify Bateman Court, Spriggs Court and Read Court as Stop Streets.


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 01/30/01
Effective Date: 01/30/01

RECORDING FEE 0.00
TOTAL 0.00
Res#0003 Rpt#555555
EWA TLC Blk#362
Feb 06, 2001 09:29 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR 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

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

 1/27/01
John B. Norris, III
Deputy County Attorney

BOOK 0017 PAGE 0280

NO.: 2001-12
SUBJECT: Adoption of
Mattapani Boulevard
Mayfaire Subdivision

RESOLUTION

WHEREAS, pursuant to Section 109-2(B)(1) of Article 19 of the Code of Public Local Laws of Maryland, the Board of County Commissioners for St. Mary's County, Maryland, is authorized to accept new subdivision streets in accordance with the applicable provisions of the County Subdivision Regulations; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised the Board of County Commissioners for St. Mary's County, Maryland, that all work has been satisfactorily completed in accordance with the County Subdivision Regulations, Public Works Agreement dated March 24, 1998, and Record Plat recorded at EWA 45, Page 93, for the extension of Mattapani Boulevard, County Route 31304.

NOW, THEREFORE, BE IT RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, finding that the extension of Mattapani Boulevard, County Route 31304, from Station 3+88 to Station 8+85, located in the Mayfaire Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 45, Page 93) meets the applicable requirements of the St. Mary's County Subdivision Ordinance (1978), as amended, and hereby accepts the extension of Mattapani Boulevard, County Route 31304, into the County's Highway Maintenance System.

Those voting aye: ALL

Those voting nay: _____

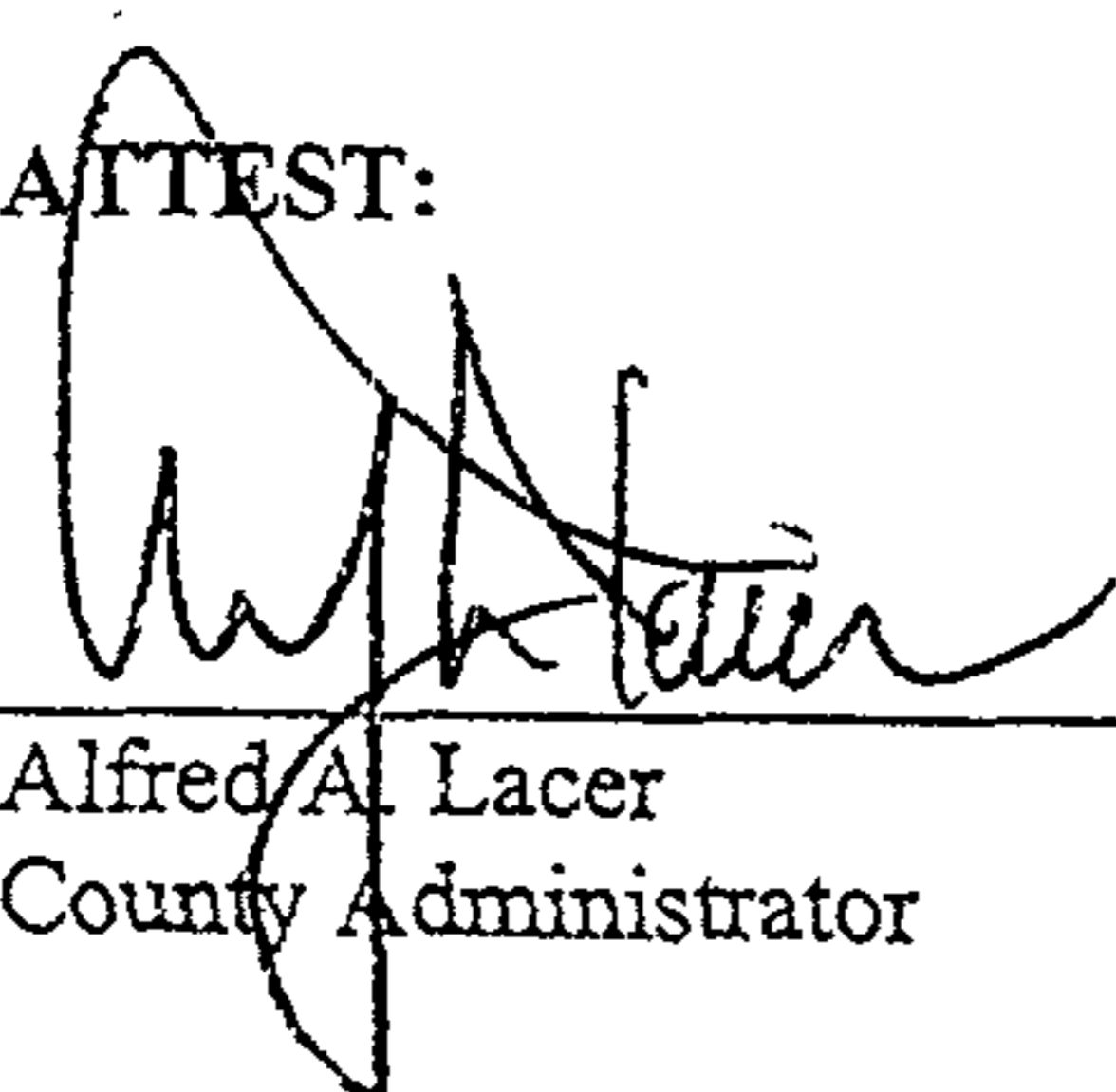
Those abstaining or absent: _____

Date of Adoption: 01/30/01

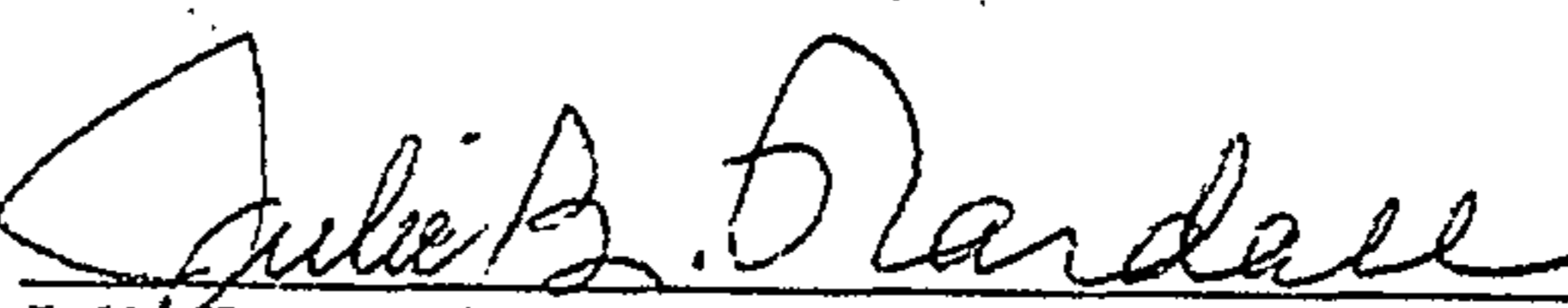
Effective Date: 01/30/01

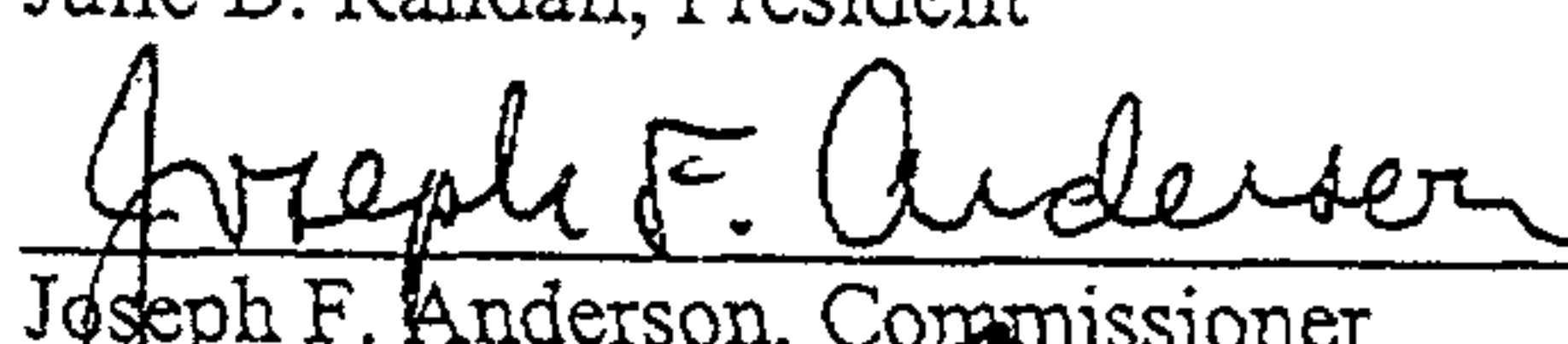
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TOTAL 0.00
Res#3003 Rcr#4999999
EWA TLC BIL#362
Feb 06, 2001 09:29 am

ATTEST:

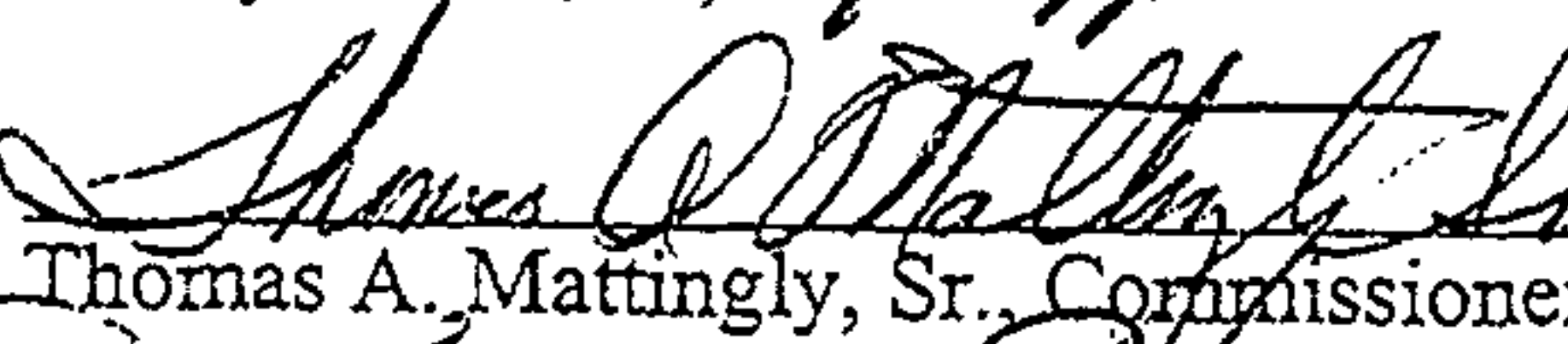

Alfred A. Lacer
County Administrator

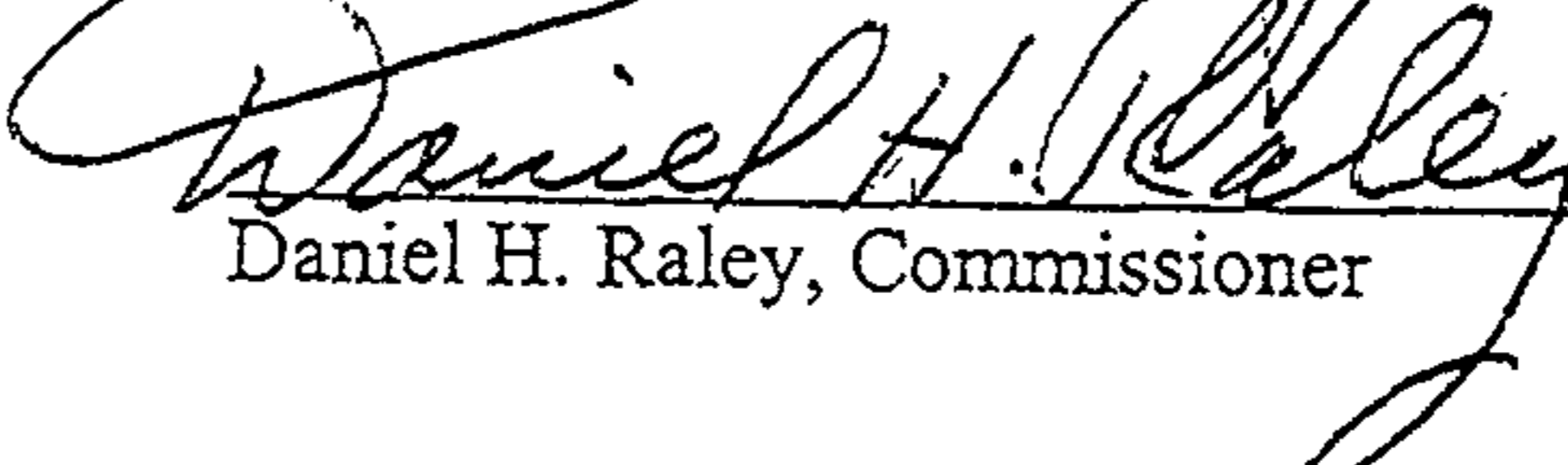
BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:


John B. Norris, III
Deputy County Attorney

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for the extension of Mattapani Boulevard, County Route 31304, located in the Mayfaire Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 45, Page 93, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Mattapani Boulevard, County Route 31304.

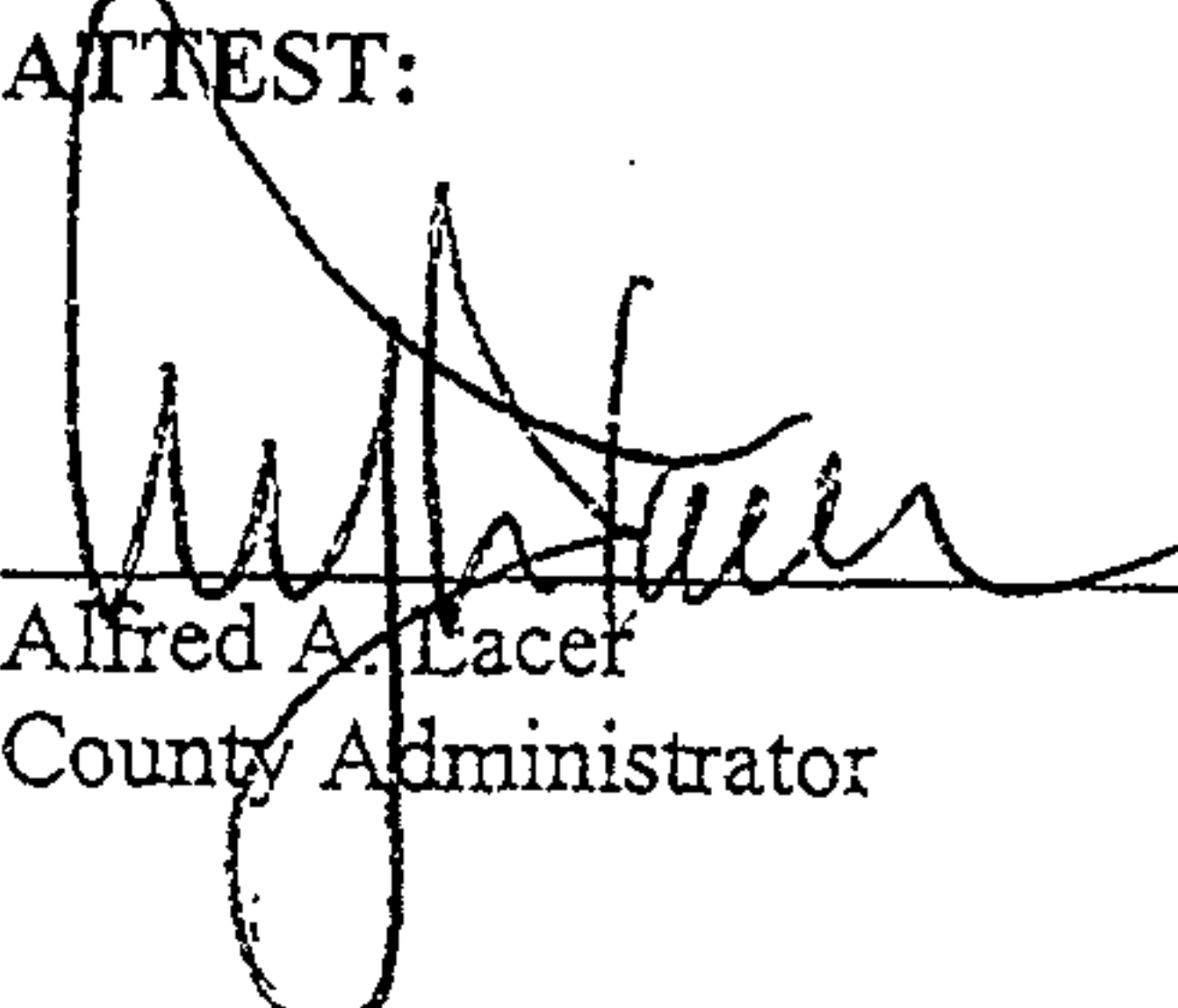
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Mattapani Boulevard is greater than reasonable or safe, and that Mattapani Boulevard, County Route 31304, located in the Mayfaire Subdivision, Eighth (8th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 45, Page 93) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.

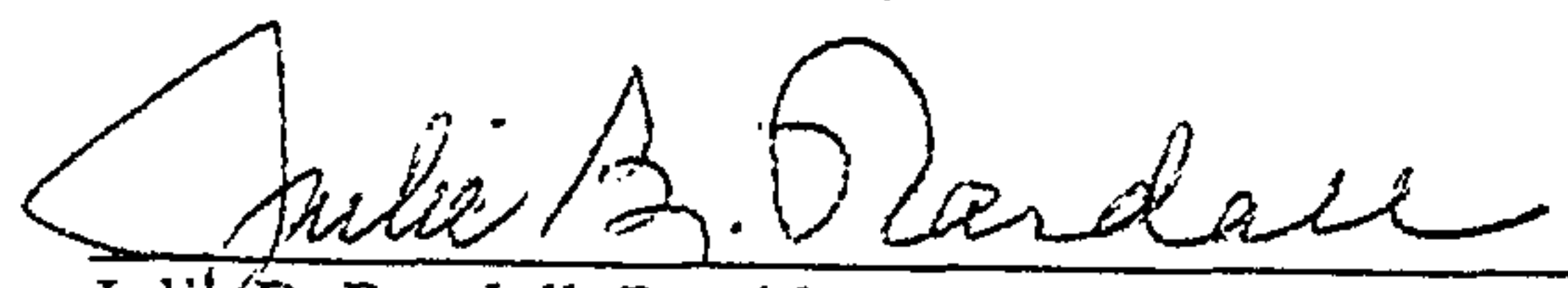
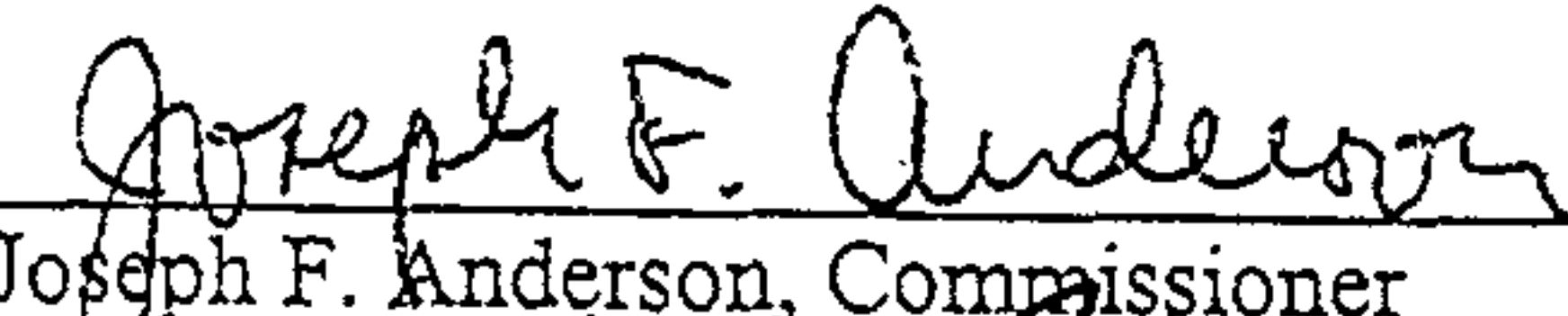

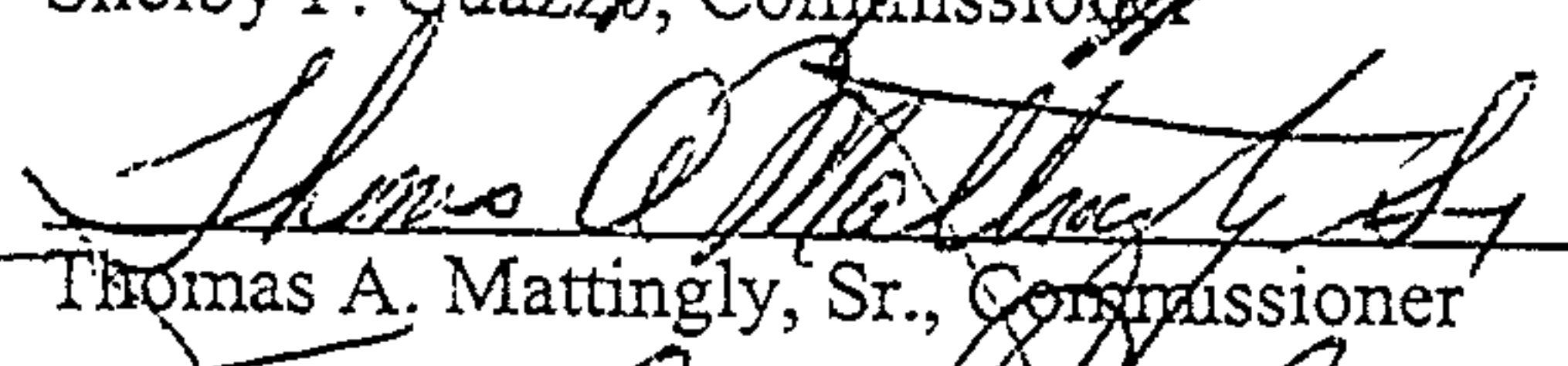
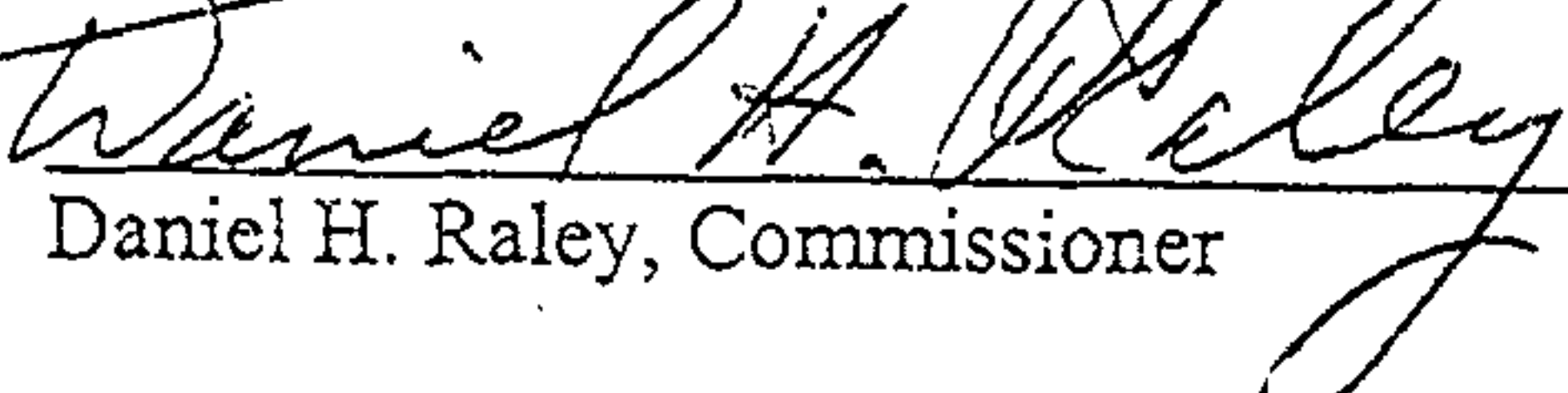
BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.


Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____

RECORDING FEE 0.00
TOTAL 0.00
Res#5403 Rec#4999999
EWA TLC BK#362
Feb 06, 2001 09:29 am

Date of Adoption: 01/30/01
Effective Date: 01/30/01

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

John B. Norris, III
Deputy County Attorney

RESOLUTION

WHEREAS, the BOARD of COUNTY COMMISSIONERS OF ST. MARY'S COUNTY, MARYLAND (the "County") has submitted an application dated December 2, 1999 to receive a grant of funds from the DEPARTMENT OF BUSINESS AND ECONOMIC DEVELOPMENT of the State of Maryland (the "Department") from the MARYLAND ECONOMIC DEVELOPMENT ASSISTANCE AUTHORITY FUND ("MEDAAF") in the amount of \$22,500 (the "Grant"), to use such funds for the purpose of procuring a market study that will identify work that can be transferred to the Patuxent Naval Air Station which is located in a Priority Funding Area of St. Mary's County (the "Study"); and

RECORDING FEE 0.00
TOTAL 0.00

WHEREAS, the County agrees that the Grant shall be used in accordance with Maryland law relating to MEDAAF, namely, Article 83A, Sections 5-1401 through 5-1411, inclusive, and the applicable regulations, for the purposes set forth in the application described above; and

Rest#3103 Rpt#4999999
EMA TLC 01/23/02

WHEREAS, the County has received a letter dated March 30, 2000 from the Secretary of the Department conditionally approving the Grant to the County (the "Conditional Commitment Letter"); and

Feb 06, 2001 09:35 am

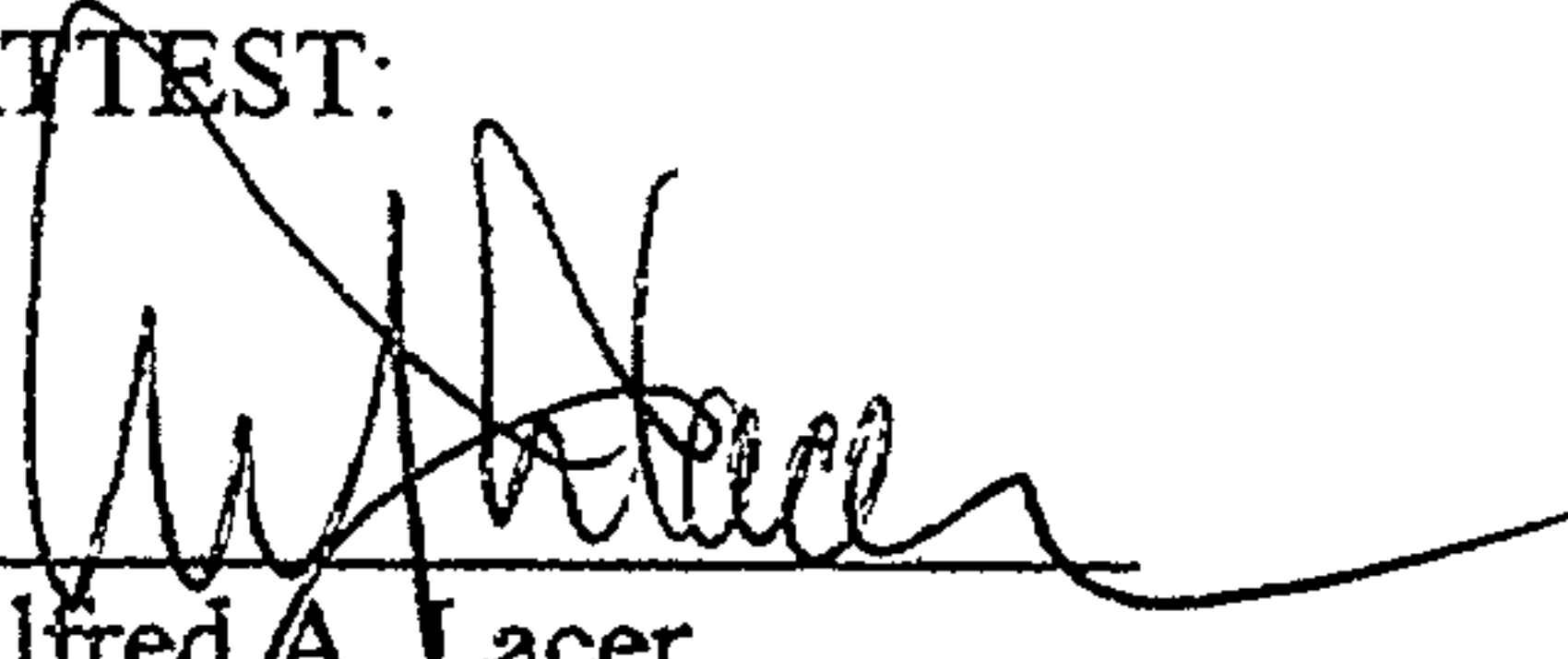
WHEREAS, the County has determined that it is in the best interests of the citizens of St. Mary's that the County accept the Conditional Commitment Letter and participate in the Study described above.

NOW, THEREFORE, BE IT RESOLVED BY THE County Commissioners of St. Mary's County THAT:

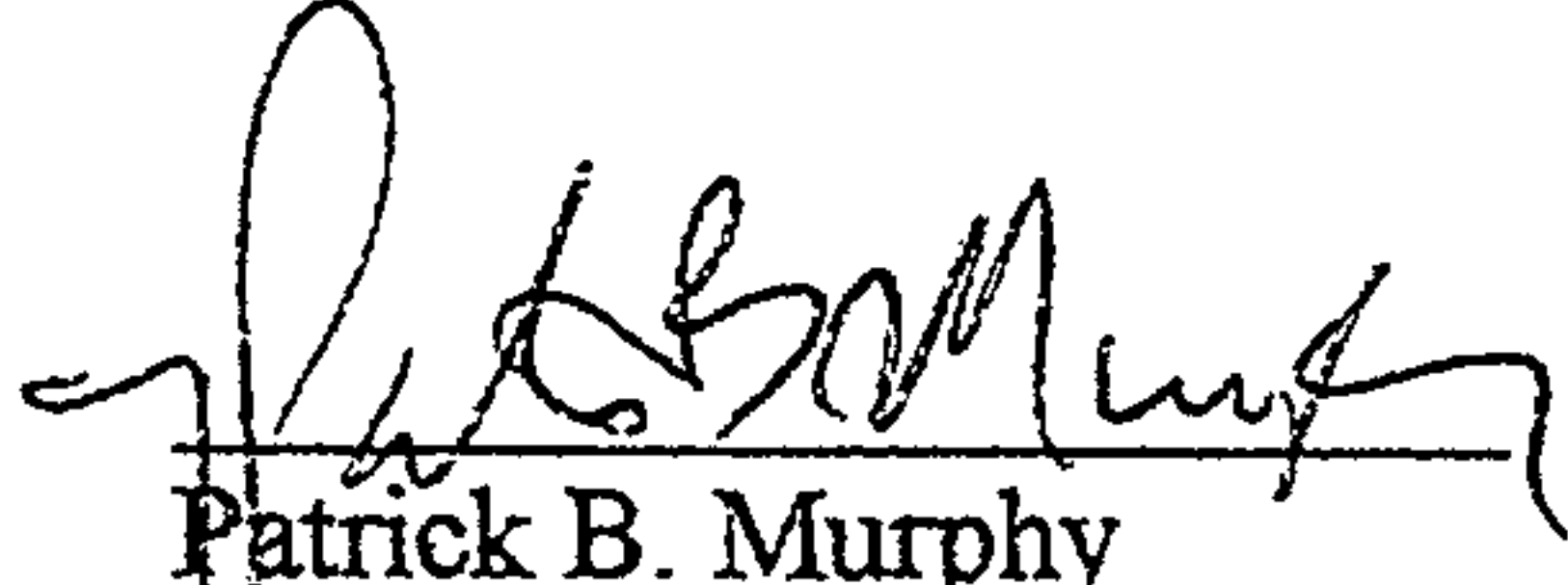
1. The County Commissioners of St. Mary's County are hereby fully authorized and empowered to accept the Conditional Commitment Letter, to accept a grant from the Department in the amount of \$22,500, to regrant the Grant to the Patuxent Partnership (the "Regrant"), and to evidence the terms and conditions of the Grant and the Regrant by executing and delivering a Grant Agreement between the County and the Department, and a Regrant Agreement between the County and the Patuxent Partnership in substantially the forms attached hereto as Exhibit A, and causing same to be delivered to the Department by other appropriate officials of the County.
2. The County intends to contribute \$2,500 towards the cost of the Study and is fully authorized and empowered to do so.

3. This Resolution shall be effective upon its adoption in accordance with applicable law this 50th day of January 2001.


ATTEST:

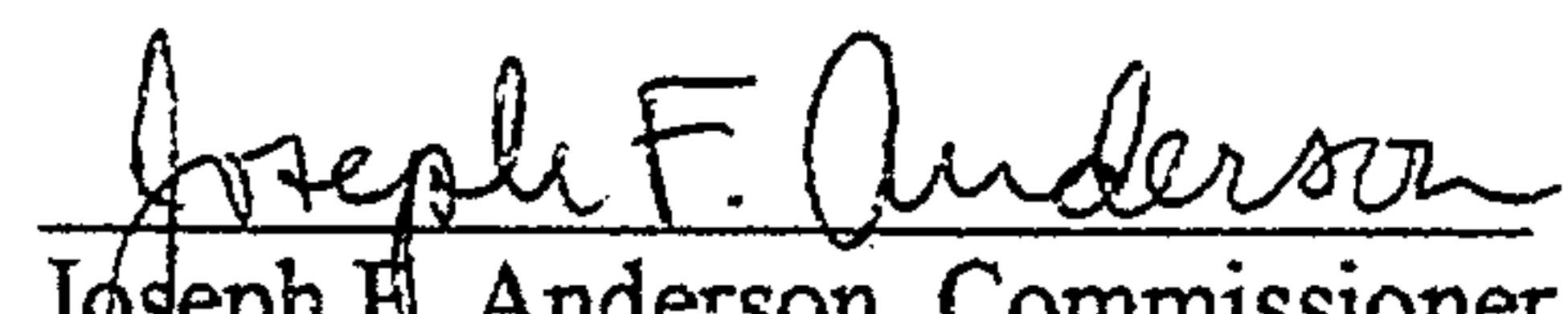

Alfred A. Lacer
County Administrator

APPROVED AS TO LEGAL
FORM AND SUFFICIENCY



Patrick B. Murphy
County Attorney

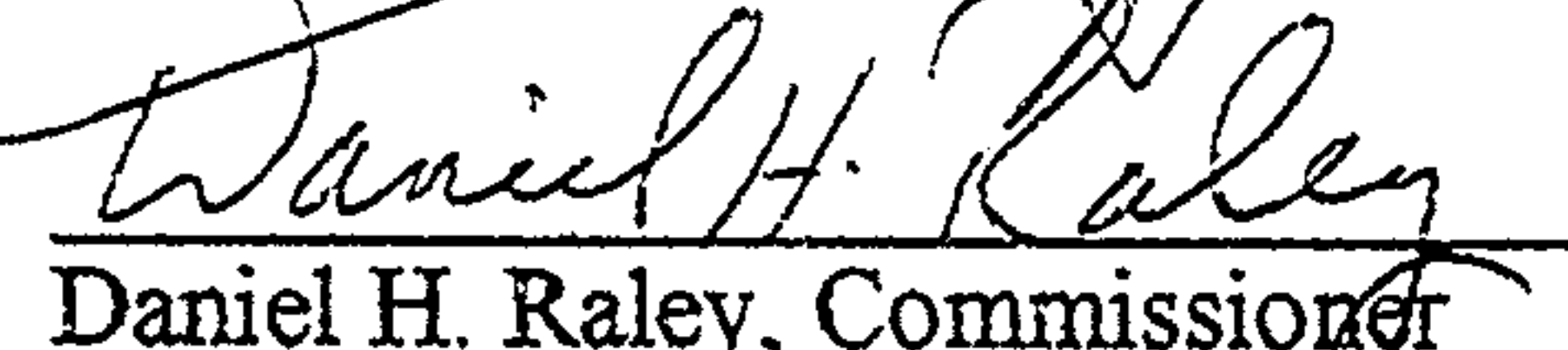
BOARD OF COUNTY COMMISSIONERS
OF ST. MARY'S COUNTY, MARYLAND


Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

RESOLUTION

WHEREAS, pursuant to Article 25, Section 11A(a)(1)(i) of the Annotated Code of Maryland, the Board of County Commissioners for St. Mary's County, Maryland is authorized to acquire any property, or any interest therein, by purchase, gift, devise, bequest, condemnation or otherwise, for any public purpose; and

WHEREAS, the Board of County Commissioners adopted a Land Preservation and Recreation Plan which identified the Fourth (4th) Election District as an area in need of additional parkland; and

WHEREAS, pursuant to Article 24, Section 4-210 (e) of the Annotated Code of Maryland, a public session was held on July 25, 2000 regarding the acquisition of this property by the Board of County Commissioners and a motion carried authorizing Commissioner Randall to sign the Contract for Purchase and Sale, with an opportunity given to the general public to comment on said acquisition.

WHEREAS, after negotiations with the Board of County Commissioners for St. Mary's County, Maryland, the property owner of property described as Parcel A on a Plat entitled "Agricultural Division Plat of Parcel 4" recorded among the Plat Records of St. Mary's County, Maryland at Liber 50, folio 29 (the "Property"), containing 250 acres, more or less, has transferred title to the Property to the Board of County Commissioners by deed recorded in the Land Records of St. Mary's County at Liber EWA 1607, Folio 693; and

WHEREAS, the Board of County Commissioners have determined that Parcel A shall accommodate and be used for a public park and recreation area for the citizens of the County.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County accepts the deed transferring the Property to the Board of County Commissioners described herein on terms and conditions as stated in the same.

Date of Adoption: 02/06/01

Ayes: All

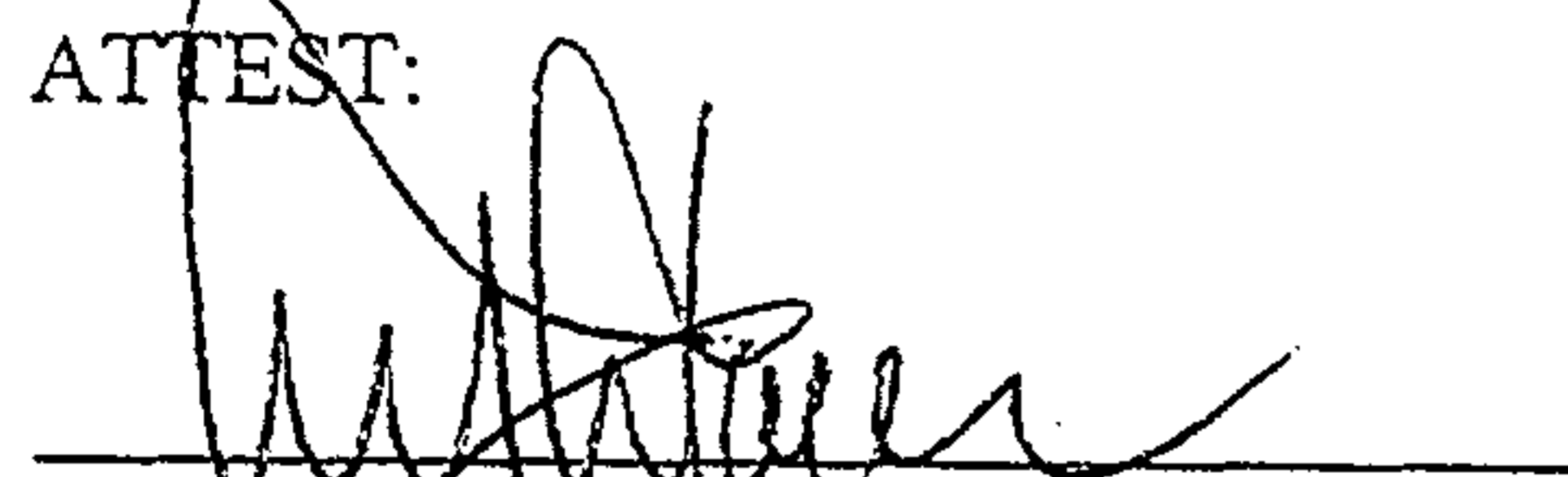
Nays:

Effective Date: 02/06/01

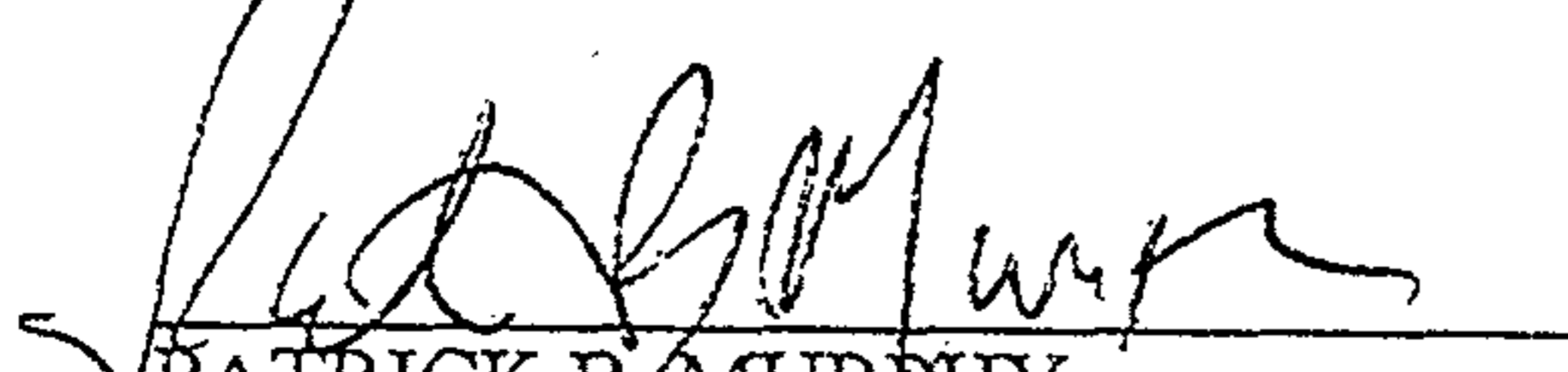
Abstain:

RECORDING FEE 0.00
TOTAL 0.00
Res#3403 Rcr#4399999
EWA NB BIK#745
Feb 09, 2001 10:02 am

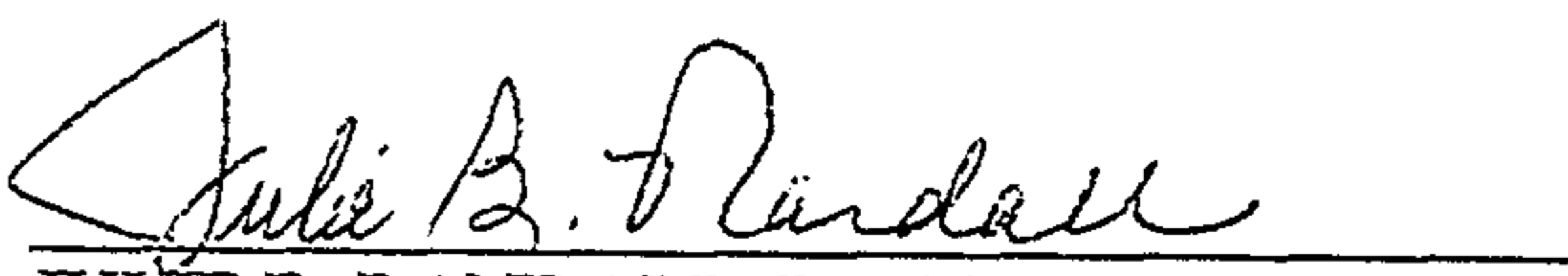
ATTEST:


ALFRED A. LACER
County Administrator

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:


PATRICK B. MURPHY
County Attorney

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


JULIE B. RANDALL, President


JOSEPH F. ANDERSON, Commissioner


SHELBY P. GUZZO, Commissioner


THOMAS A. MATTINGLY, Sr., Commissioner


DANIEL H. RALEY, Commissioner

SUBJECT: GRANT APPLICATION FOR FUNDS TO REIMBURSE PREVIOUS EXPENDITURES FOR THE OPERATION OF A "MARYLAND SUMMER YOUTH PROGRAM CAMPAIGN 2000" AND DIRECTING COMPLIANCE WITH GRANT REPORTING AND OTHER REQUIREMENTS

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

RECORDING FEE 0.00
TOTAL 0.00
Res#3003 Rpt#999999
EWA NB 21:4745
Feb 09, 2001 10:03 am

RECITALS

WHEREAS, the Board of County Commissioners for St. Mary's County is the designated grant recipient for Title I grants under the Workforce Investment Act of 1998, (the "Act"), Public Law 105-220, to administer the goals and directives of the Act in St. Mary's, Charles and Calvert Counties.

WHEREAS, The Governor of Maryland budgeted funds as part of the approved Fiscal Year 2000 State Budget for the "2000 Maryland Forward Summer Youth Program"; and

WHEREAS, a program qualifying for grant funding under the 2000 Maryland Forward Summer Youth Program was conducted by the Southern Maryland Workforce Investment Board, on behalf of the Board of County Commissioners for St. Mary's County, for the summer of 2000; and

WHEREAS, the Board of County Commissioners for St. Mary's County finds that an application for reimbursement, from the 2000 Maryland Forward Summer Youth Program, of grant funds previously expended under the Act is to the benefit of the further implementation of the Act.

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

Section 1. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance, the Director of Human Resources and such other officers, officials, employees and contractors of the County as the President shall designate, are authorized hereby to do any and all things, execute all instruments, documents and certificates, and otherwise take all action necessary, proper, or expedient in the application for reimbursement grant funding in the amount of Thirteen Thousand Five Hundred Dollars, (\$13,500), for the summer 2000 Maryland Forward Summer Youth Program; including, but not limited to the execution of the "Department of Labor, Licensing, And Regulation, Wcrkforce Investment Act (WIA) Program, Notice Of Grant Award," attached hererto as Exhibit A.

Section 2. The President of the Board and all other Commissioners, the County Administrator, the Director of Finance, the Director of Human Resources and such other officers, officials, employees and contractors of the County as the President shall designate, are authorized and directed hereby to do all acts, prepare all documents and things required of them by the provisions hereof and the Maryland Forward Summer Youth Program Grant, for the full, punctual, and complete request for a reimbursement grant under the 2000 Maryland Forward Summer Youth Program.

Section 3. If awarded such grant, The President of the Board and all other Commissioners, the County Administrator, the Director of Finance, the Director of Human Resources and such other officers, officials, employees and contractors of the County as the President shall designate, are authorized and directed hereby to do all acts, prepare all documents and things required of them by the provisions hereof and the Maryland Forward Summer Youth Program Grant, for the full, punctual, and complete performance of all of the terms, covenants, provisions and agreements of this Resolution and the awarded grant.

Section 4. If awarded such grant, the Finance Director is further authorized to execute proper Cash Draw Requests on behalf of the County and the Board and to

arrange a method and means of accepting payment from the Grantor, which may include, but not be limited to, electronic fund transfer.

Section 5. This Resolution shall take effect from the date set forth below as the "Effective Date."

Those voting Aye: ALL

Those voting Nay: _____

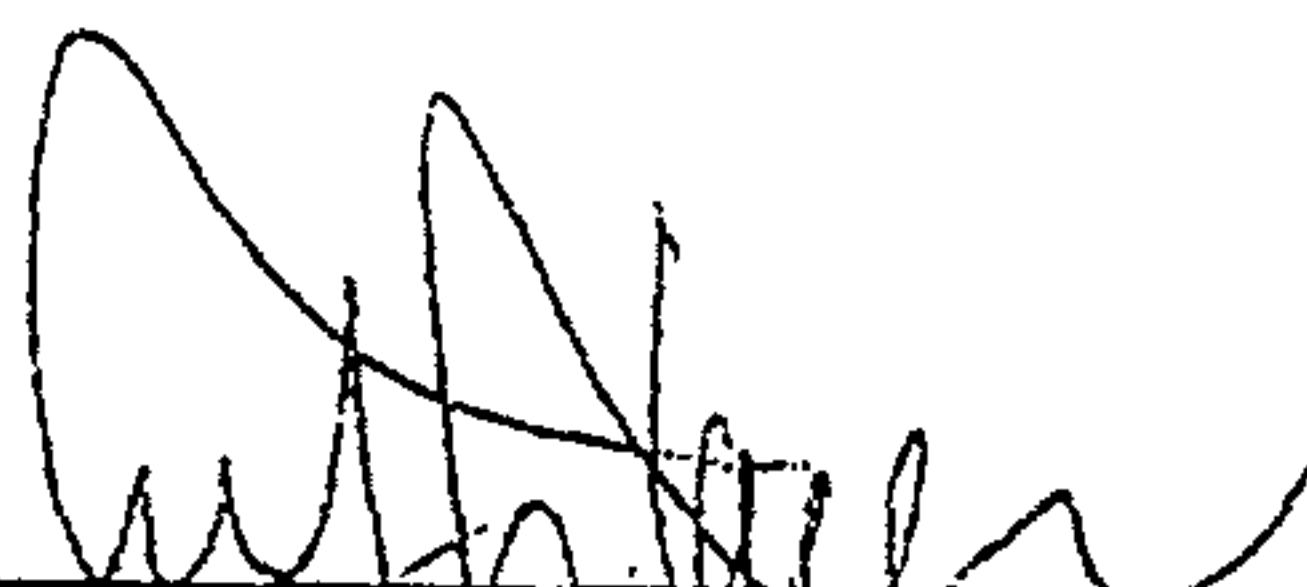
Those Absent: _____

DATE OF ADOPTION: 02/06/01

EFFECTIVE DATE: 02/06/01

ATTEST:

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

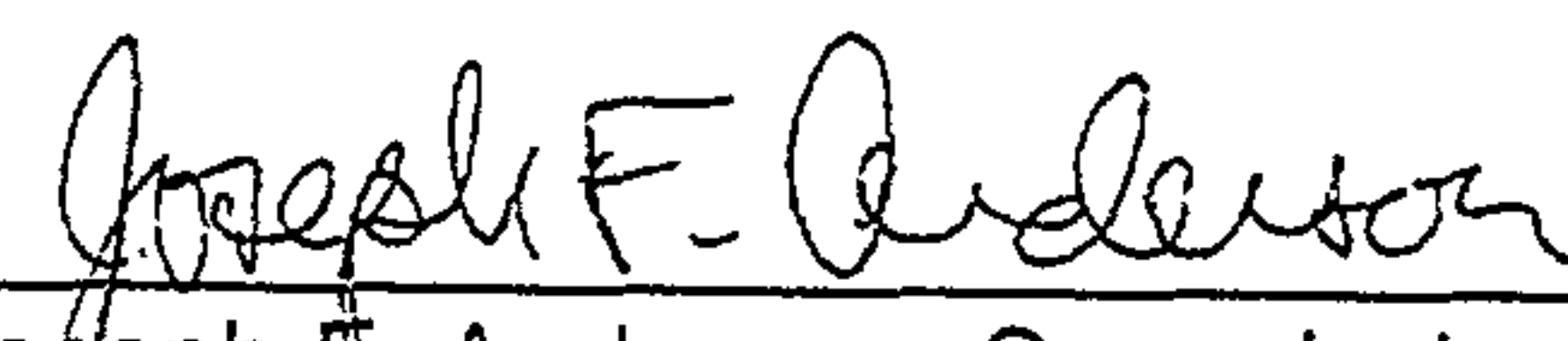


Alfred A. Lacer,
County Administrator

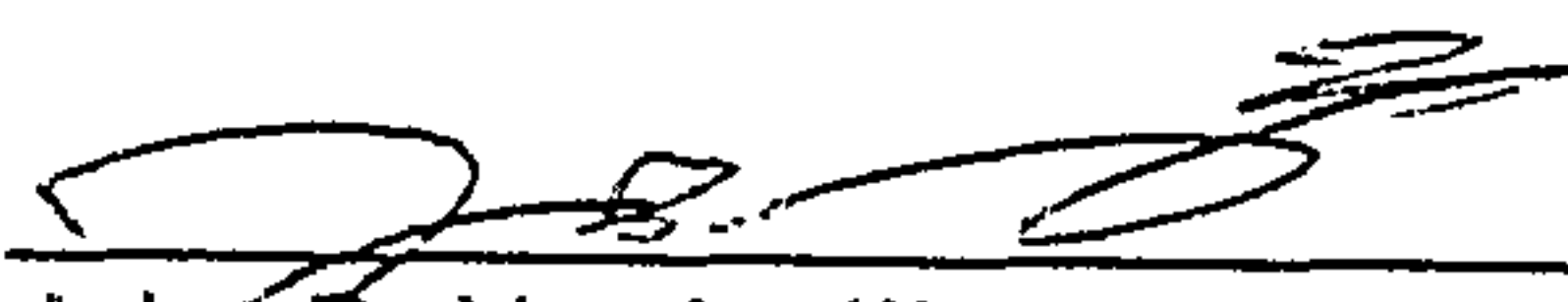


Julie B. Randall, President

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



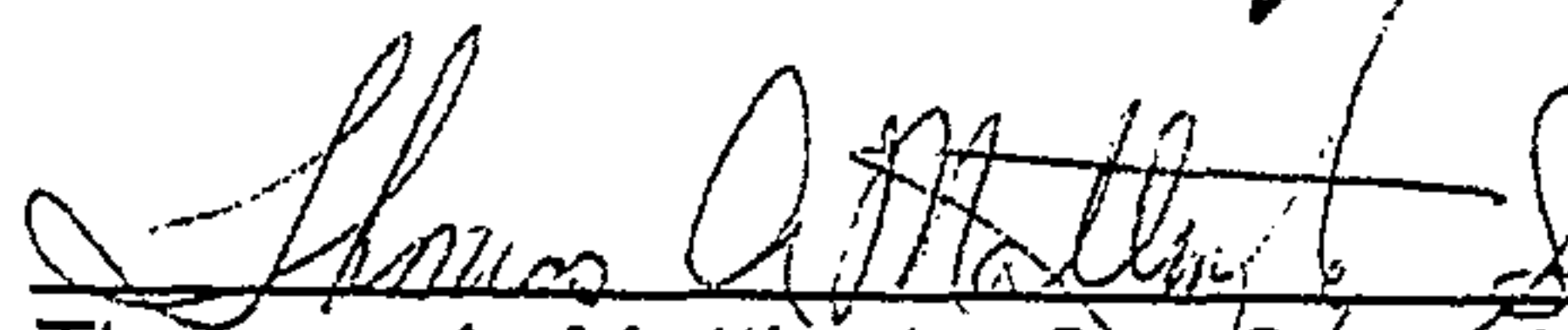
Joseph F. Anderson, Commissioner



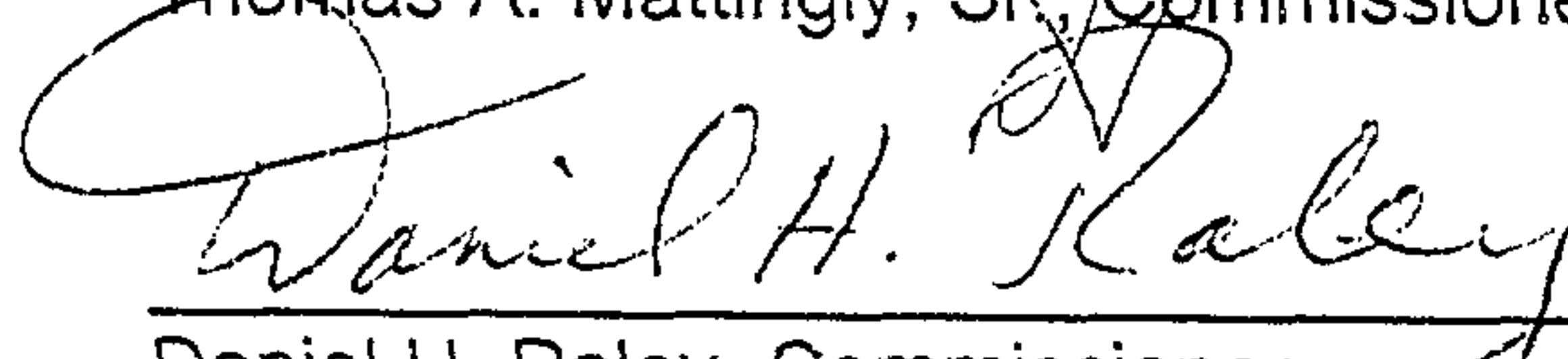
John B. Norris, III
Deputy County Attorney



Shelby P. Guazzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner

BOOK 0017 PAGE 0087

PURPOSE

For the purpose of amending, in part, Code of St. Mary's County, Maryland, Chapter 223 entitled Fees, Article III entitled User Fees by adding to Section 223-5 an administrative fee to be charged by the Department of Public Works relevant to obtaining a Railroad Right-of-Way Easement Agreement; repealing Section 223-9 entitled Plumbing; and by adding a new Article IV to Chapter 223 relevant to Inspection Fees for Plumbing, Gas, Building, and Electrical construction or installation work and for the further purpose of amending both the Plumbing Code, Section 249-7(D) and the Natural Gas Code, Section 242-2(D).

ORDINANCE

RECORDING FEE	0.00
TOTAL	0.00
RES#15402	RC#1999999

WHEREAS, the Board of County Commissioners for St. Mary's County has previously and currently charges separate fees for both permits and inspections relevant to building construction or installation work;

WHEREAS, the Board of County Commissioners for St. Mary's County has previously and currently charges a single combined fee for both permitting and inspection of plumbing and gas construction or installation work, pursuant to Ordinance codified as Code of St. Mary's County, Maryland, Section 249-7(D);

WHEREAS, the Board of County Commissioners for St. Mary's County has previously and currently charged only a fee for inspection, but not permitting, of electrical construction or installation work;

WHEREAS, the Board of County Commissioners for St. Mary's County has not previously adopted a separate fee schedule for inspection of such building, plumbing, gas, and electrical work;

WHEREAS, all inspections performed relevant to plumbing, gas, building and electrical work are now performed by an independent inspection contractor, who currently is the Middle Department Inspection Agency, Inc. subject to oversight by the St. Mary's County Department of Permits and Inspections;

WHEREAS, the Board of County Commissioners for St. Mary's County has never issued permits for electrical work, but wishes to continue inspecting such electrical work;

WHEREAS, the Board of County Commissioners for St. Mary's County wishes to continue charging a combined fee for both permitting and inspection of plumbing and gas work;

WHEREAS, the Board of County Commissioners for St. Mary's County therefore wishes to repeal the separate permit fee provisions of the code of St. Mary's County, Maryland, Chapter 223, Article III, Section 223-9, relative to plumbing permits, and replace those plumbing permit fees with a combined permitting and inspection fee for both plumbing and gas work as set forth below;

WHEREAS, the Board of County Commissioners for St. Mary's County wishes to continue charging separate fees for permitting and inspection of building construction and installation work, with the inspection contractor collecting the inspection fees and the Department of Permits and Inspections collecting the permit fees as is currently the case;

WHEREAS, Article 83B, Section 6-402(g) of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners to charge fees necessary to cover the cost of implementation and enforcement of the Maryland Building Performance Standards and any local amendments to the standards, including the cost of inspecting building construction or installation work;

WHEREAS, Article 25, Section 10D-1(a) of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners for St. Mary's County, Maryland, during the month of December, to set the building permit fees, which fees may include the cost of inspection, in an amount not to exceed two percent (2%) "of the cost of any new construction of any living units built in St. Mary's County, or pre-built and brought into St. Mary's County";

WHEREAS, Article 25, Section 3(t) of the Annotated Code of Maryland authorizes and empowers the Board of County Commissioners for St. Mary's County to require reasonable charges for the inspection of building and electrical construction or installation work;

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 electrical code and for reasonable charges or permits and inspections;

WHEREAS, the Building Code Ordinance adopted by the Board of County Commissioners and codified as Code of St. Mary's County, Maryland Chapter 203 Sections 203-1 through 203-12, requires establishment of user fees for the cost of administering the Building Code, including inspection fees for building, plumbing, and electrical work, as set forth in Chapter 203 Section 203-11 and Section 203-12(c);

WHEREAS, the Plumbing Code Ordinance adopted by the Board of County Commissioners and codified as Code of St. Mary's County Chapter 249 Sections 249-1 through 249-14, requires the Board of County Commissioners to fix a combined permit and inspection fee which shall be sufficient to cover the cost of three (3) separate inspections, including underground, rough-in, and final, with the underground inspection performed only when underground work is performed, and with additional fees charged for additional inspections, as set forth in Section 249-7(D);

WHEREAS, the Natural Gas Code Ordinance adopted by the Board of County Commissioners and codified as Code of St. Mary's County Chapter 242 Sections 242-1 through 242-10 requires the Board of County Commissioner to fix a combined permit and inspection fee which shall be sufficient to cover the cost of three (3) separate inspections, including underground, rough-in, and final, with the underground inspection performed only when underground work is performed, and with additional fees charged for additional inspections, as set forth in Section 242-2(B, C, and D);

WHEREAS, the Electrical Code adopted by the Board of County Commissioners and codified as Code of St. Mary's County Chapter 217-1 to 217-9 requires electrical inspections to be conducted;

WHEREAS, although the Plumbing and Natural Gas Codes require an additional fee for any re-inspection, current practices include one re-inspection of any of the three primary inspections, at no additional charge;

WHEREAS, the Board of County Commissioners wishes to both adopt an inspection fee schedule and amend the Plumbing and Natural Gas Codes in a manner consistent with current practices;

WHEREAS, the following "Fee Schedule" grid allows flexibility for determining specific inspection requirements and charging for only those inspections required; and

WHEREAS, the individual fee per type of inspection also allows the contractor to bill, on a monthly basis, for those individual inspections that have been performed rather than wait for the final inspection to bill for the entire project.

WHEREAS, the Board of County Commissioners of St. Mary's County, Maryland believe it is in the interest of the County to protect the Railroad Right-of-Way and as such to modify existing policies with regard to the issuance of crossing easements;

WHEREAS, on August 31, 1999, the Board of County Commissioners directed staff to amend the Railroad Right-of-Way Easement Agreement;

WHEREAS, in furtherance of those directions the Board of County Commissioners of St. Mary's County, Maryland authorized implementation of a \$500 fee to cover estimated overhead costs incurred by St. Mary's County Government in reviewing and preparing said documents;

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, Section 3(r), a public hearing was held on January 23, 2001, pursuant to notice published on January 12, 2001 and January 19, 2001 in The Enterprise, a newspaper of general circulation.

SECTION 1. NOW THEREFORE, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners that the enclosed Inspection Fee Schedule is established and ordered for the purpose of establishing inspection fees relevant to building, electrical, plumbing and gas work inspections.

SECTION 2. FURTHER, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners that Code of St. Mary's County Section 223-9 is hereby repealed and that section shall be reserved.

SECTION 3. FURTHER, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners that Code of St. Mary's County Chapter 223 is amended to establish the following Building, Electrical, Gas and Plumbing Code Inspection Fees:

**Article IV
Inspection Fees**

Chapter 223-12

A. Building Code Inspection Fee Schedule for Commercial and Residential New construction, additions and renovations.

TYPE OF INSPECTION	FLAT FEE FOR 600 SF OR LESS	FLAT FEE FOR 601 TO 1200 SF	FLAT FEE FOR 1201 TO 2400 SF	ADDITIONAL SF FEE*	ADDITIONAL >10,000 SF FEE **
FOOTING	\$ 5.00	\$ 15.00	\$ 30.00	\$0.0055	\$0.004
FOUNDATION	\$ 5.00	\$ 5.00	\$ 5.00	\$0.0010	\$0.001
SLAB BASE	\$ 5.00	\$ 5.00	\$ 10.00	\$0.0055	\$0.004
FRAMING	\$ 10.00	\$ 35.00	\$ 40.00	\$0.0055	\$0.004
INSULATION	\$ 5.00	\$ 10.00	\$ 20.00	\$0.0045	\$0.002
FINAL	\$ 35.00	\$ 45.00	\$ 50.00	\$0.0065	\$0.005

**Additional square footage fee to be calculated for square feet in excess of 2400 square feet and added to flat fee. Additional square footage fee to be calculated for square footage in excess of 10,000 sf only, and added to the sum of [FLAT FEE + ADDITIONAL Square Footage FEE]

B. Plumbing and Natural Gas Inspection Fees for residential and commercial, including "fuel gas" piping.

Per fixture appurtenance or appliance*	\$ 3.50
Connection to well or public water supply	\$ 25.00
Connection to septic or public sewer	\$ 25.00
Connection to fuel gas service	\$ 30.00
Reinspection Fee	\$ 70.00
Minimum Fee for items not accounted for above	\$ 25.00

*Includes one underground work inspection if needed, and one rough-in and one final inspection.

C. Electrical Inspection Fees for residential and commercial.*

All switches, lighting fixtures, outlets, etc. to be counted as "Devices":	
1 to 50 Devices	\$ 8.00
For each additional 25 Devices or fraction thereof	\$ 2.00
"Hardwired" equipment utilizing electricity:	
Single unit or group of five (5) maximum whose total capacity	
Is less than one (1) HP, KW, or KVA	\$ 9.00
Single unit* of 1 to 30 HP, DW, or KVA	\$ 8.00
Single unit* over 30 HP, DW, or KVA	\$ 10.00
*or group of five (5) maximum whole total capacity is.....	
Service/Meter equipment and Feeder panels up to 600 volts:	
Not over 200 amps	\$ 20.00
Over 200 amps but not over 400 amps	\$ 25.00
Over 400 amps but not over 1,000 amps	\$ 75.00
Over 1,000 amps	\$ 85.00
Service/Meter equipment and Feeder panels over 600 volts:	
Not over 200 amps	\$ 35.00
Over 200 amps but not over 400 amps	\$ 50.00
Over 400 amps but not over 1,000 amps	\$ 80.00
Over 1,000 amps	\$ 90.00
Primary Transformers, Vaults, Enclosures, Sub-Station:	
Not over 200 KVA	\$ 55.00
Over 200 KVA	\$ 65.00

BOOK 0017 PAGE 0039

Reinspection Fee	\$ 70.00
Minimum Fee for items not accounted for above:	\$ 25.00

*Fee Schedule includes one underground work inspection if needed, and one rough-in and one final inspection.

D. Re-inspection Fee. An Aggregate of one re-inspection of any one of the footing, foundation, slab base, framing, insulation, final underground, rough-in, or final inspections shall be performed, if necessary, at no additional charge. A re-inspection fee shall be charged for the second and each subsequent re-inspection of any portion of the work, regardless of whether such is an underground, rough-in, or final inspection. The re-inspection fee shall be the same as the original inspection fee. Example: A rough-in inspection fails on the first trip, the code section is noted on the "disapproval" sticker informing the builder to correct the violation; on the second rough-in inspection, if the violation has been corrected there is no additional charge; however, if the violation is not corrected, this requires a "stop work" order to be posted and no further construction is allowed except for that which is necessary for correcting the violation and there is no additional charge for this second rough-in inspection. However, the builder must pay the re-inspection fee to the County for the third and any subsequent rough-in inspections, and receive an approved re-inspection prior to the lifting of the "stop work" order.

SECTION 4. FURTHER, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners for St. Mary's County, Maryland, that a fee of \$500 shall be collected in conjunction with review, revision and preparation of each Railroad Right-of-Way Easement Agreement granted by the Board of County Commissioners and that the Department of Public Works is authorized to implement a procedure for the collection of said fee; and Chapter 223 Section 223-5 of the Code of St. Mary's County is hereby amended to add a Railroad Right-of-Way Crossing Easement Fee as follows:

**Article III
User Fees**

Chapter 223-5.

J. Railroad Right-of-Way Easement. The fee for obtaining a railroad right-of-way easement agreement shall be Five hundred dollars (\$500.00) for each application made.

SECTION 5. FURTHER, BE IT RESOLVED AND ORDAINED, by the Board of County Commissioners that the Plumbing Code, as codified in the Code of St. Mary's County, as Chapter 249 Section 249-7(D), is hereby repealed and re-enacted as follows:

D. The Department of Permits and Inspections shall be responsible for the collection fees for St. Mary's County based on a rate to be fixed from time to time by the Board of County Commissioners. The rate shall be designated on the application for a plumbing permit. The rate schedule shall be reviewed periodically by the Plumbing Board and revised by the Board of County Commissioners as deemed necessary and appropriate to offset any and all expenses incurred through the administration and/or enforcement of the Plumbing Code. This fee schedule shall be of a sufficient amount to provide for one (1) inspection of underground work, one (1) inspection of rough-in work and one (1) final inspection. Any additional inspection(s) shall be charged, except one re-inspection may be performed at no additional charge as may be provided for by the Board of County Commissioners in the fee schedule Ordinance. If the Contractor collects the above-described fees the following surcharges shall apply:

Building Inspection Applications:	
Residential < 2400 sq. ft.	\$3.00
Residential > 2400 sq. ft.	\$5.00
Building Inspection Applications Other than Residential:	
< 2400 sq. ft.	\$5.00
> 2400 sq. ft. < 10,000 sq. ft.	\$8.00
> 10,000 sq. ft.	\$10.00
Electrical Inspection Applications:	
Residential Qualifying for Flat Rate Fee	\$2.00
Residential Not Qualifying for Flat Rate Fee and Other Than Residential	\$5.00
Plumbing and Gas	
Residential	\$3.00
Other Than Residential	\$5.00

SECTION 6. FURTHER BE IT RESOLVED AND ORDAINED, by the Board of County

BOOK 0017 PAGE 0090

Commissioners that the Natural Gas Code, as codified in the Code of St. Mary's County, as Chapter 242 Section 242-2(D), is hereby repealed and re-enacted as follows:

D. The fee schedule shall be calculated to provide for one (1) inspection of underground work, if underground work is performed, one (1) inspection of rough-in work and one (1) final inspection. Additional fees shall be imposed for any additional inspections, except one re-inspection may be performed at no additional charge as may be provided for by the Board of County Commissioners in the fee schedule Ordinance.

SECTION 7. FURTHER, BE IT RESOLVED AND ORDAINED, that except as otherwise expressly stated herein all provisions of the Code of St. Mary's shall remain in full force and effect without repeal, revision or re-enactment;

SECTION 8. FURTHER, BE IT RESOLVED AND ORDAINED, that 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 9. This Ordinance shall become effective, March 1, 2001 as to A, B, and C below:

- A. To plumbing work inspections, for permit applications filed on or after March 1, 2001;
- B. To electrical inspections, for inspection applications received on or after March 1, 2001; and
- C. To building inspections, for permit applications filed on or after March 1, 2001.

SECTION 10. This Ordinance shall become effective March 1, 2001, and shall apply as follows:

- A. To application for Railroad Right-of-Way Easement Agreement.

Those voting aye: Anderson, Guazzo, Mattingly, Raley,

Those voting nay: _____

Those abstaining or absent: Commissioner Randall

Approval Date: 2/13/2001

Effective Date: 2/13/2001

ATTEST: [Signature]
ALFRED A. LACER,
County Administrator

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

ABSENT
JULIE B. RANDALL, President

[Signature]
JOSEPH F. ANDERSON, Commissioner

[Signature]
SHELBY P. GUAZZO, Commissioner

[Signature]
THOMAS A. MATTINGLY, SR., Commissioner

[Signature]
DANIEL H. RALEY, Commissioner

APPROVED AS TO FORM AND
LEGAL SUFFICIENCY

[Signature]
PATRICK B. MURPHY
County Attorney

BOOK 0017 PAGE 0091

Subject:
RESOLUTION TO CONFIRM APPLICATION
TO THE COMMUNITY DEVELOPMENT
BLOCK GRANT PROGRAM

WHEREAS, the Board of St. Mary's County Commissioners has prepared an application to the Community Development Block Grant Program seeking \$597,661 to fund the demolition of 72 buildings that have been determined as vacant and unfit for human habitation within the community of Lexington Manor located in the 8th Election District of St. Mary's County and identified on Tax Map No. 43 of St. Mary's County as Parcels 258 and 276, pursuant to the representations made by the owner of Lexington Manor; and

WHEREAS, the Board of St. Mary's County Commissioners has held a public hearing on January 30 pursuant to due notice placed in *The Enterprise*, a newspaper of general circulation, on Wednesday, January 17, 2001 and January 24, 2001 in accordance with the "Citizens Participation Plan" required by the Federal regulations for the Community Development Block Grant Program and with Article 25, Section 3(r) of the Maryland Annotated Code to obtain the input and comment from the public on the prevention or elimination of slums or blight; and

WHEREAS, the record was left open for ten (10) days to receive public comment and input on the proposed grant application.

WHEREAS, after receiving public comment and input, the Board of County Commissioners deems it to be in the best interest of the citizens of St. Mary's County to apply for funding under the Community Development Block Grant Program;

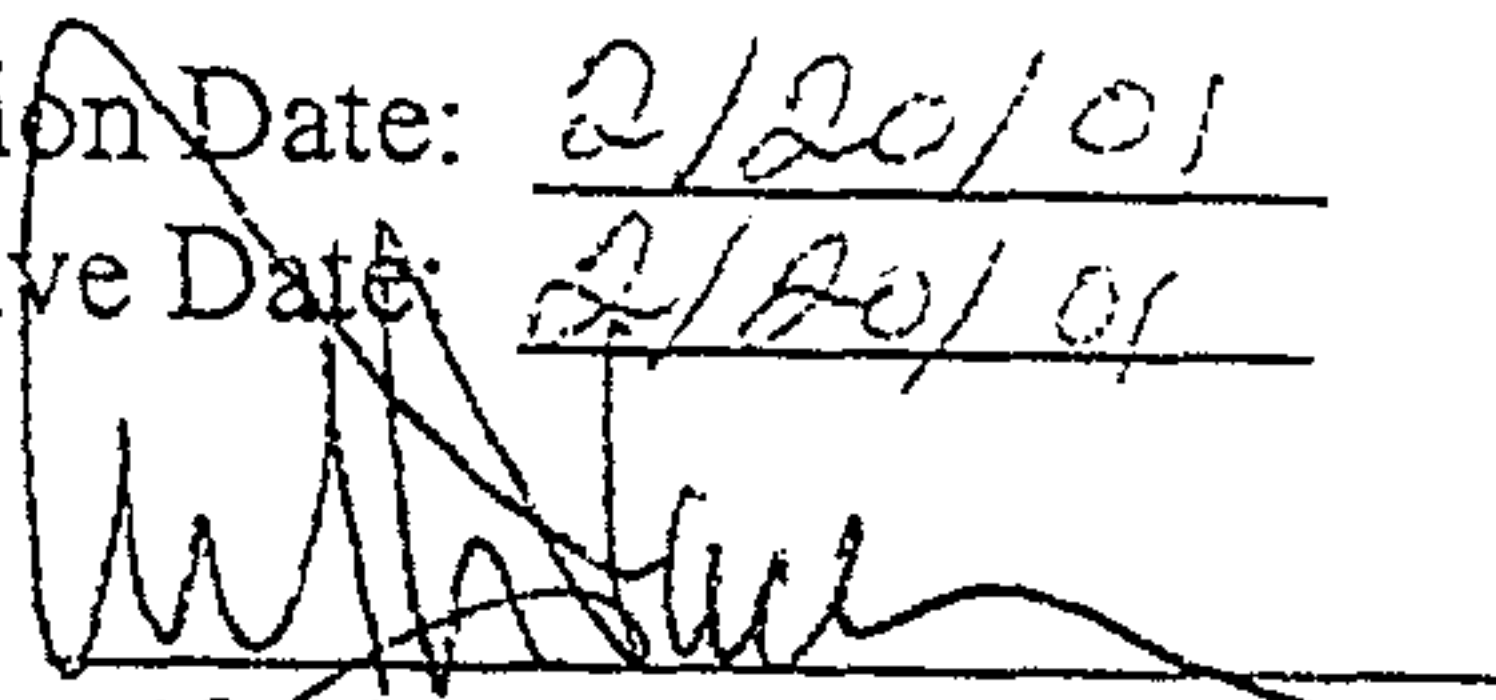
NOW, THEREFORE, BE IT RESOLVED, that the Board of St. Mary's County Commissioners:

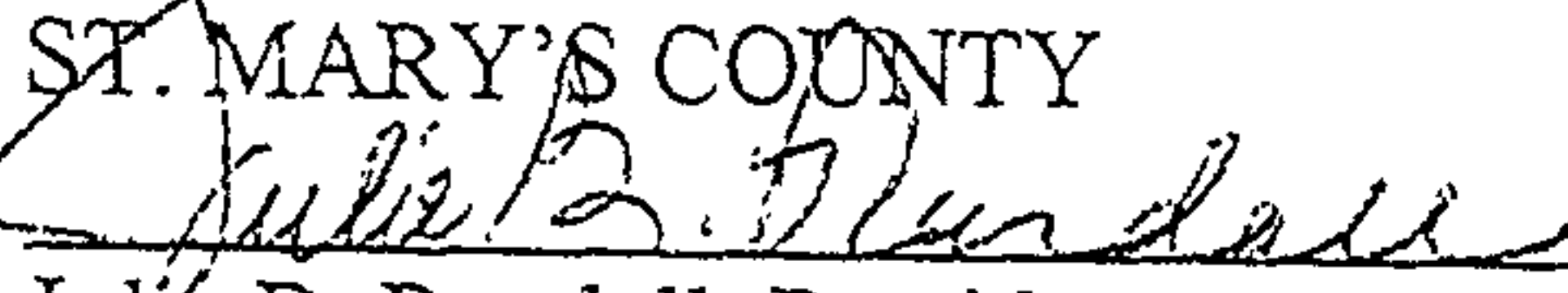
1. Reconfirms its intention to apply to the Community Development Block Grant Program seeking \$597,661 to fund the demolition of 72 buildings that have been determined as vacant and unfit for human habitation within the community of Lexington Manor located in the 8th Election District of St. Mary's County and identified on Tax Map No. 43 of St. Mary's County as Parcels 258 and 276, pursuant to the representations made by the owner of Lexington Manor

2. The recitals above are incorporated herein.

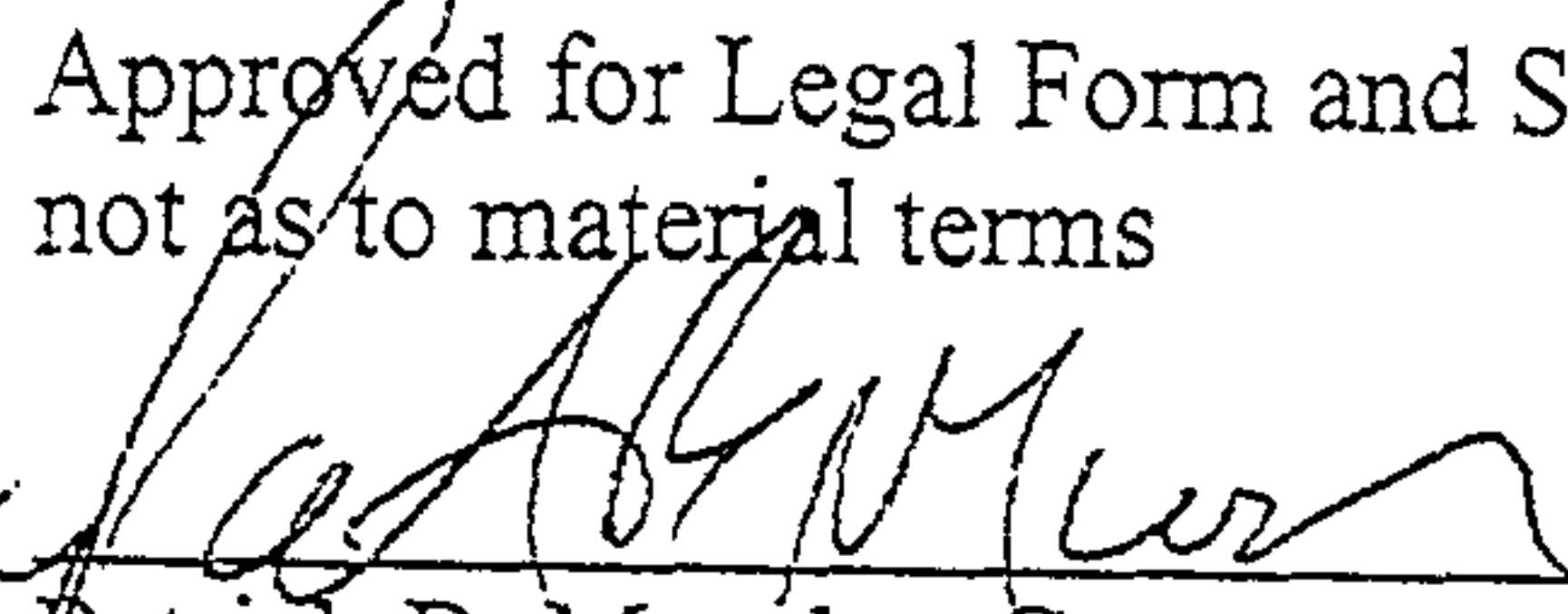
RECORDING FEE 0.00
TOTAL 0.00
REC-5403 RCF#999999
EWA NB 21K#1501
Feb 27, 2001 11:22 am

Adoption Date: 2/20/01
Effective Date: 2/20/01

Attest: 
Alfred A. Lacer
County Administrator


BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY

Julie B. Randall, President

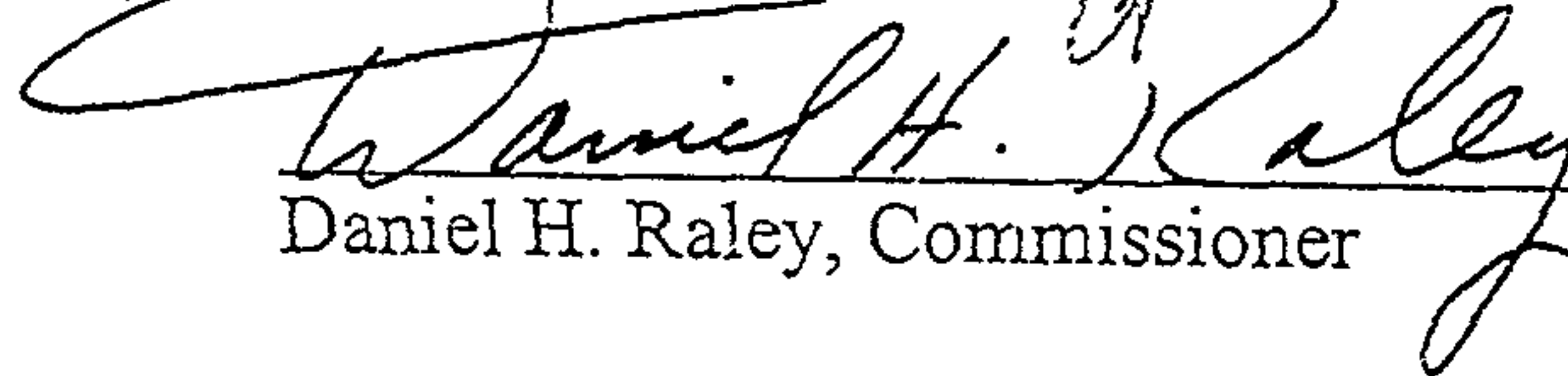
Approved for Legal Form and Sufficiency,
not as to material terms


Patrick B. Murphy, County Attorney


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Commissioner


Daniel H. Raley, Commissioner

SUBJ: FY 2001 Supplemental Appropriation
Workforce Investment Program

ORDINANCE

WHEREAS, the Board of County Commissioners believes it is in the best interest of the County to amend the Fiscal Year 2001 General Fund Operating Budget to include the appropriation for the Workforce Investment Program 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 \$407,275.00 are available in State grant funds from the Maryland Department of Labor, Licensing and Regulation for the purpose of providing supplemental funds to operate Workforce Investment Act Programs (a job-training program) in the Southern Maryland area.

WHEREAS, in accordance with the Annotated Code of Maryland, Article 25, §3(r), a public hearing was held on Tuesday, February 6, 2001 pursuant to Notice published on or about January 26, 2001 and February 02, 2001 in the Enterprise.

NOW, THEREFORE, BE IT ORDAINED that the Board of County Commissioners after due notice conducted a public hearing on February 6, 2001 to present and explain the requirements to increase the Fiscal Year 2001 Budget in the amount of \$407,275.00 (Four Hundred Sevens Thousand, Two Hundred Seventy-Five Dollars), and such increase is hereby approved this 20th day of February, 2001, by the Board of County Commissioners of St. Mary's County, Maryland.

Those voting Aye: ALL
Those voting Nay: _____
Those Absent: _____

RECORDING FEE 0.00
TOTAL 0.00
Res#3403 Acct#999999
EWA NB 01/19/01
Feb 27, 2001 11:24 am

Date of Adoption: 2/20/01

Effective Date: 2/20/01

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:
Alfred A. Lacer

Alfred A. Lacer
County Administrator

Elaine M. Kramer
Elaine M. Kramer
Director of Finance

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
Patrick B. Murphy
County Attorney

CERTIFICATION OF FUNDS AVAILABILITY
DIRECTOR OF FINANCE
SUPPLEMENTAL OR EMERGENCY APPROPRIATION

Section 27-9 of the St. Mary's County Code states that the County Commissioners may make additional, supplementary or emergency appropriations during any fiscal year only if the Chief Financial Officer certifies in writing that funds are available for appropriation.

DATE: February 6, 2001


TO: Board of County Commissioners

ORDINANCE
NUMBER:

PURPOSE: For the purpose of providing supplemental funds to operate Workforce Investment Act Programs (a job-training program) in the Southern Maryland area.

FUNDS CERTIFICATION:

<u>Amount</u>	<u>Source</u>
\$407,275.00	Per grant award #P00B1200012 State grant funds from the Maryland Department of Labor, Licensing and Regulation


Elaine M. Kramer
Director of Finance

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of traffic control devices, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersection of Bay Avenue, a private road, and Hays Beach Road, County Route 30402, located in the First (1st) Election District, St. Mary's County, Maryland, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at this intersection; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at this intersection by means of traffic control devices, specifically, a stop sign on Bay Avenue at the intersection with Hays Beach Road, County Route 30402.

NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersection of Bay Avenue, a private road, and Hays Beach Road, County Route 30402, and that in the interest of public safety and to eliminate a hazardous condition, Bay Avenue, further identified as being located in the First (1st) Election District, St. Mary's County, Maryland shall be designated as a Stop Street, which is a reasonable exercise of this Board's police powers.

BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices; specifically, a stop sign on Bay Avenue, a private road, at the intersection with Hays Beach Road, County Route 30402, as necessary to identify Bay Avenue as a Stop Street.

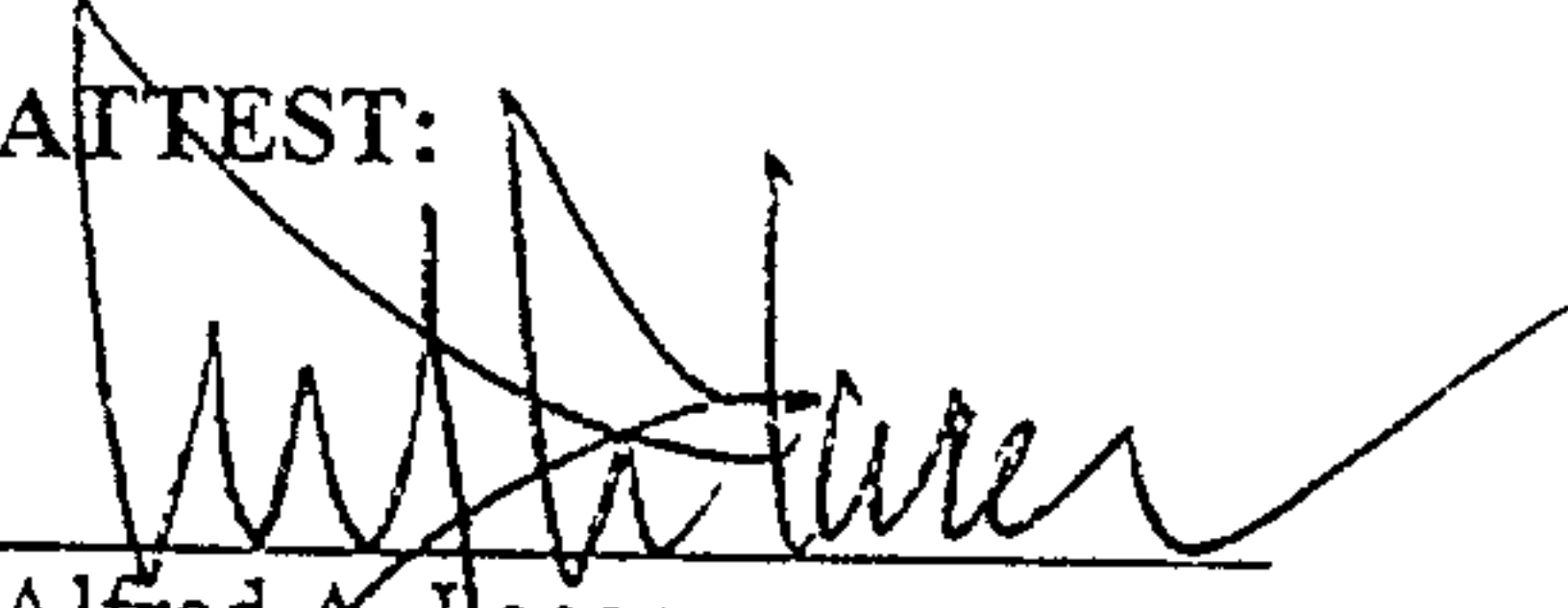
Those voting aye: ALL

Those voting nay: _____

Those abstaining or absent: _____

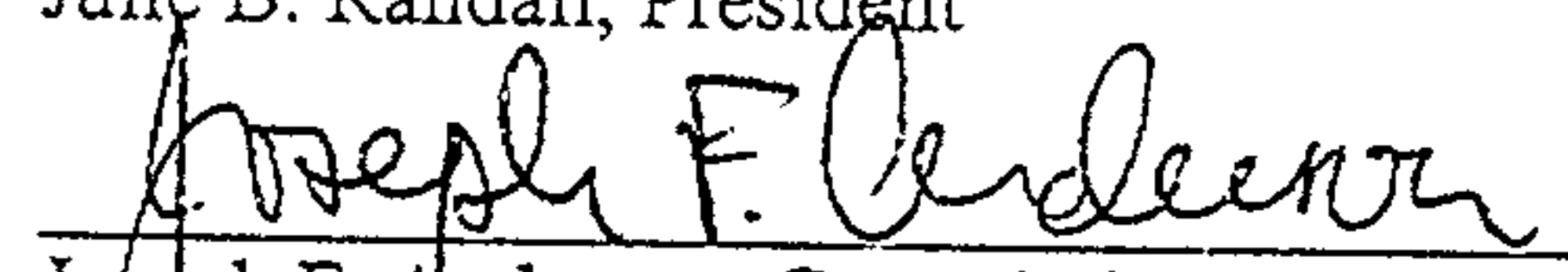
Date of Adoption: 2/27/01

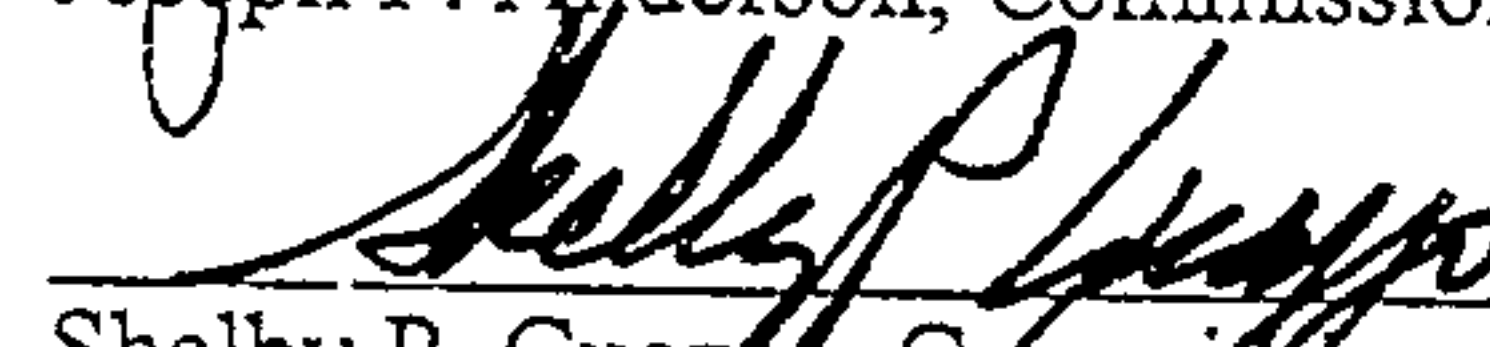
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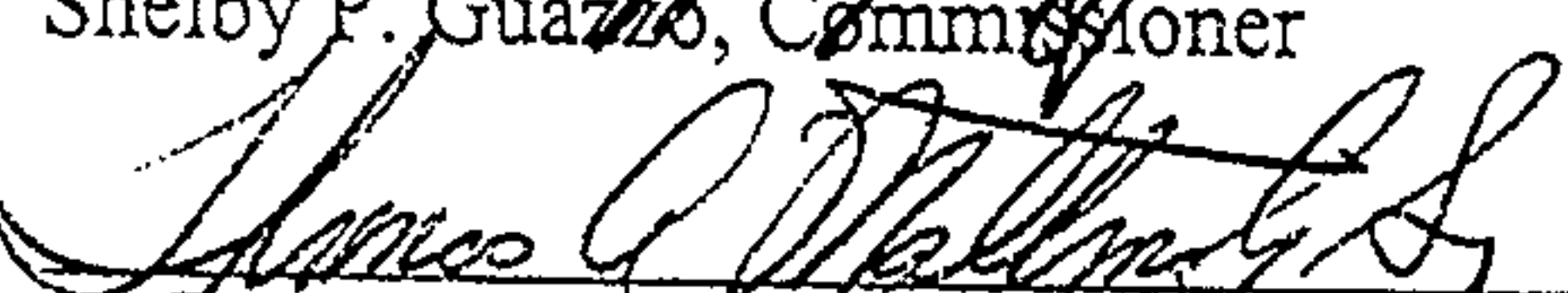
ATTEST:

Alfred A. Iacer
County Administrator

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

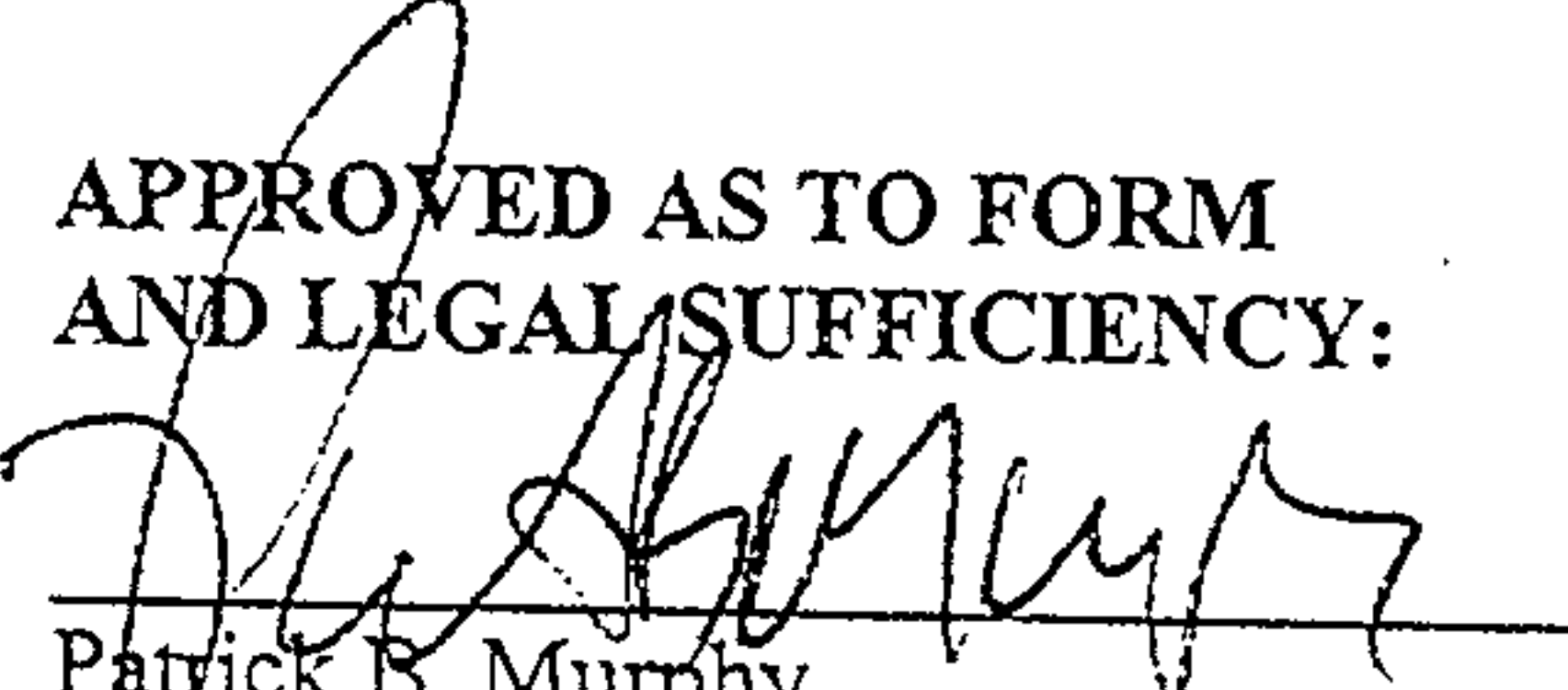

Julie B. Randall, President


Joseph F. Anderson, Commissioner


Shelby P. Guazzo, Commissioner


Thomas A. Mattingly, Sr., Commissioner


Daniel H. Raley, Commissioner

APPROVED AS TO FORM AND LEGAL SUFFICIENCY:

Patrick B. Murphy
County Attorney

RECORDING FEE 0.00
TOTAL 0.00
RESUBS Recd: 999999
EMA HAB 8/14/01
Mar 01, 2001 09:10 am

NO.: 200-19
SUBJECT: Persimmon Creek Road,
Steeple Court, Cathedral Court,
And Pastor Court
Speed Limit
Persimmon Hills Subdivision
Phase 2

RESOLUTION

WHEREAS, pursuant to the authority granted under Section 25-102 (a) (10) and Section 21-803 of the Maryland Annotated Code, Transportation Article, the Board of County Commissioners for St. Mary's County, Maryland, may alter the speed upon a public road within the County; and

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that the maximum speed limit set forth in Subtitle 21 of the Transportation Article of the Maryland Annotated Code for Persimmon Creek Road, County Route 31278, Steeple Court, County Route 31303, Cathedral Court, County Route 31304, and Pastor Court, County Route 31305, located in Phase 2 of the Persimmon Creek Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 44, Page 10, is greater than reasonable or safe under existing conditions of road design, motor vehicle traffic and pedestrian safety; and

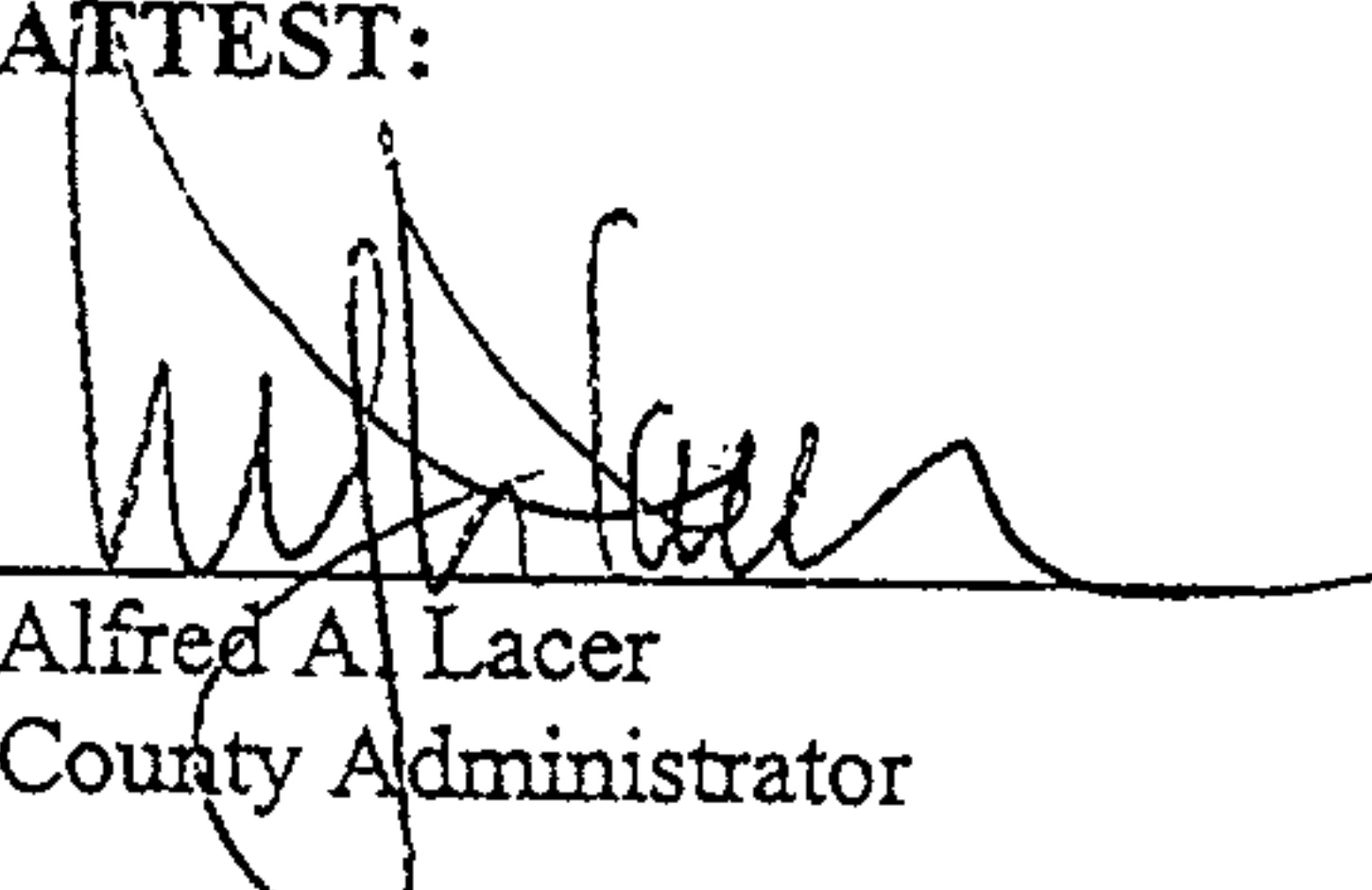
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has advised that 25 miles per hour is a reasonable and safe maximum speed for Persimmon Creek Road, County Route 31278, Steeple Court, County Route, 31303, Cathedral Court, County Route 31304, and Pastor Court, County Route 31305.

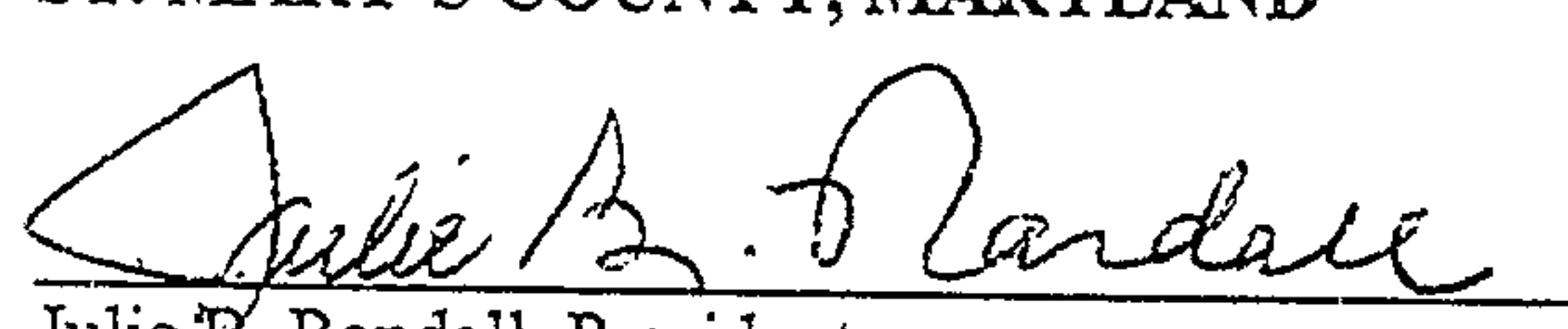
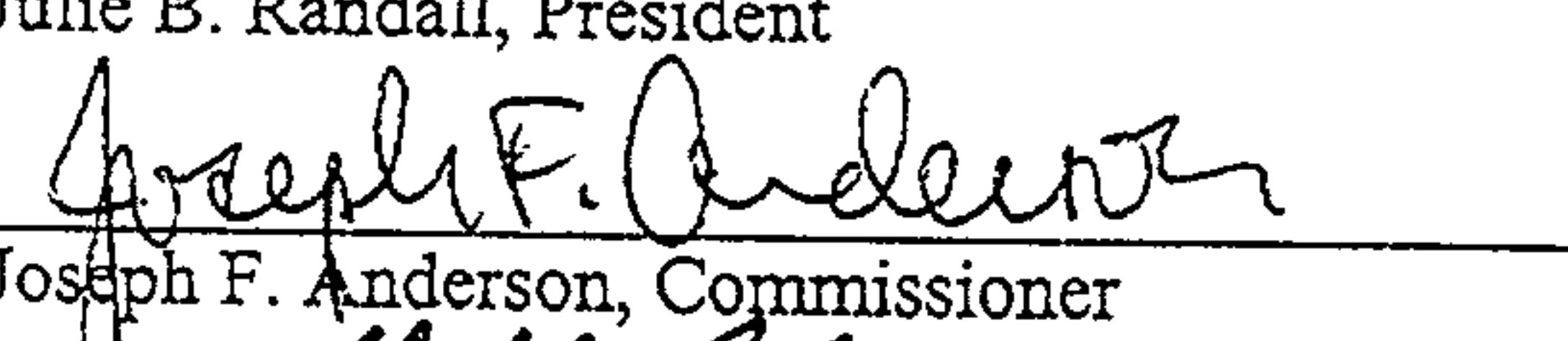
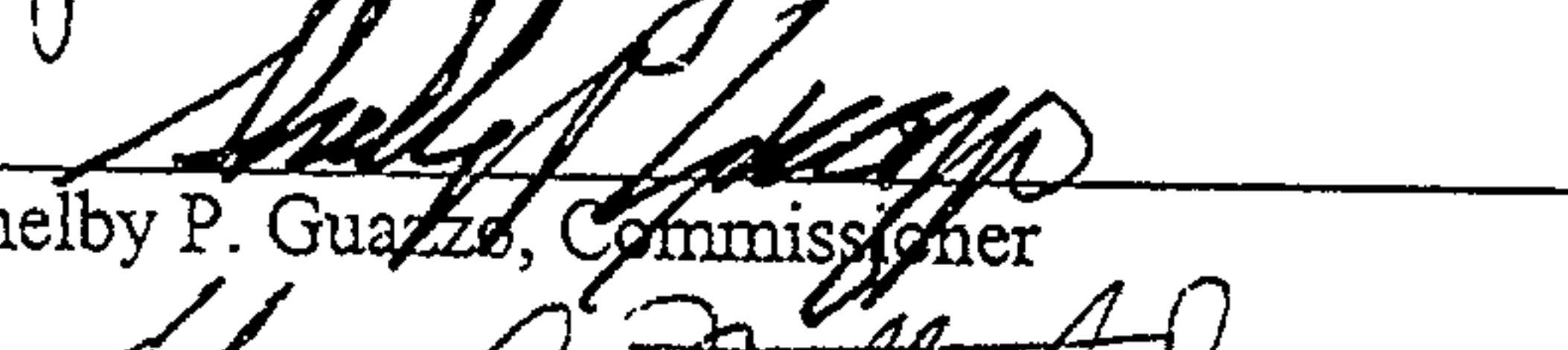
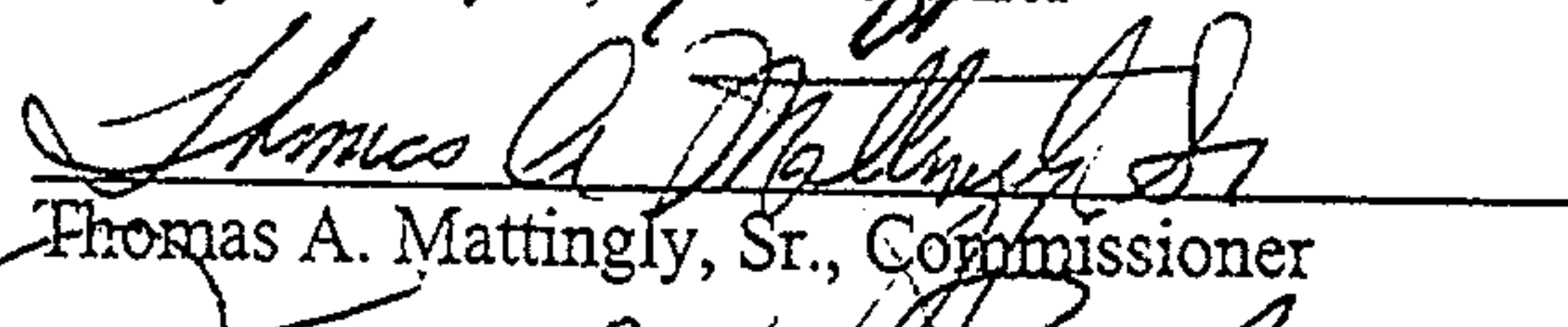
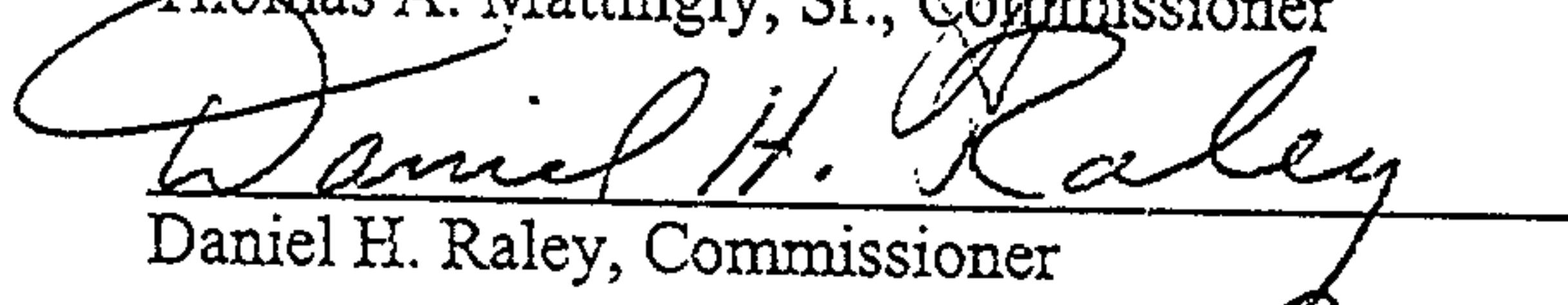
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland finds the maximum speed limit set forth for roads of the type of Persimmon Creek Road, Steeple Court, Cathedral Court, and Pastor Court is greater than reasonable or safe, and that Persimmon Creek Road, County Route 31278, Steeple Court, County Route 31303, Cathedral Court, County Route 31304, and Pastor Court, County Route 31305, located in Phase 2 of the Persimmon Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 44, Page 10) be posted at 25 miles per hour as per the recommendation of the St. Mary's County Department of Public Works and Transportation.


BE IT FURTHER RESOLVED, that the Director of the Department of Public Works and Transportation is directed to install the signage necessary to implement this Resolution in accordance with Section 21-801.1(f) and 21-803 (c) of the Maryland Annotated Code, Transportation Article.

Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 2/27/01
Effective Date: 2/27/01

RECORDING FEE 0.50
TOTAL 0.00
Res: 0003 Rec: 000000
EWA MAR 21/01
Mar 01, 2001 09:10 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO LEGAL FORM
AND SUFFICIENCY:

John B. Norris, III
Assistant County Attorney

BOOK 0017 PAGE 0097

NO.: 2000-20
SUBJECT: Persimmon Creek Road,
Steeple Court, Cathedral Court,
and Pastor Court
Stop Signs
Persimmon Hills Subdivision
Phase 2

RESOLUTION

WHEREAS, pursuant to Section 25-102 of the Transportation Article of the Maryland Annotated Code, the Board of County Commissioners for St. Mary's County, Maryland, is authorized and empowered to regulate traffic by means of a traffic control device, and to designate any intersection as a stop intersection, or yield intersection.

WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has identified the intersections of Persimmon Creek Road and Steeple Court, County Route 31303; Persimmon Creek Road and Cathedral Court, County Route 31304; and Persimmon Creek Road and Pastor Court, County Route 31305, located in Phase 2 of the Persimmon Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland, as per Record Plat recorded at EWA 44, Page 10, as a threat to public safety and a hazardous condition due to the absence of traffic control devices at these intersections; and

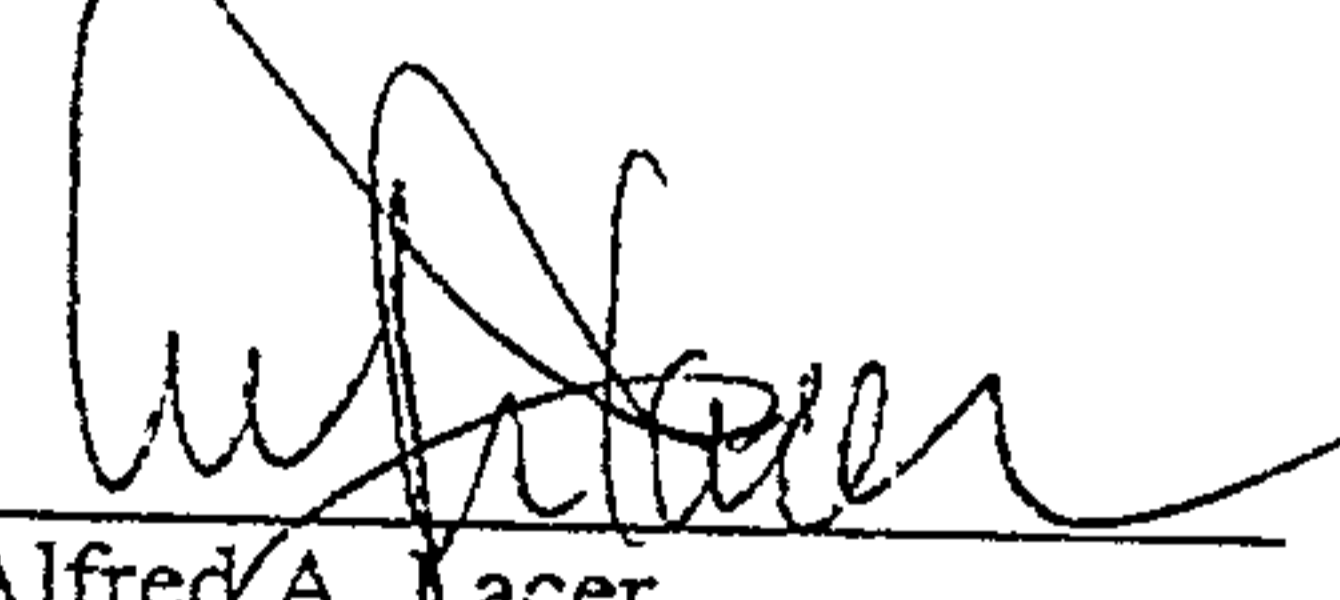
WHEREAS, the Director of the St. Mary's County Department of Public Works and Transportation has, therefore, recommended that the Board of County Commissioners for St. Mary's County, Maryland, exercise its authority to regulate traffic at these intersections by means of traffic control devices, specifically, stop signs on Steeple Court, County Route 31303, at the intersection with Persimmon Creek Road, Cathedral Court, County Route 31304, at the intersection with Persimmon Creek Road, and Pastor Court, County Route 31305, at the intersection with Persimmon Creek Road.

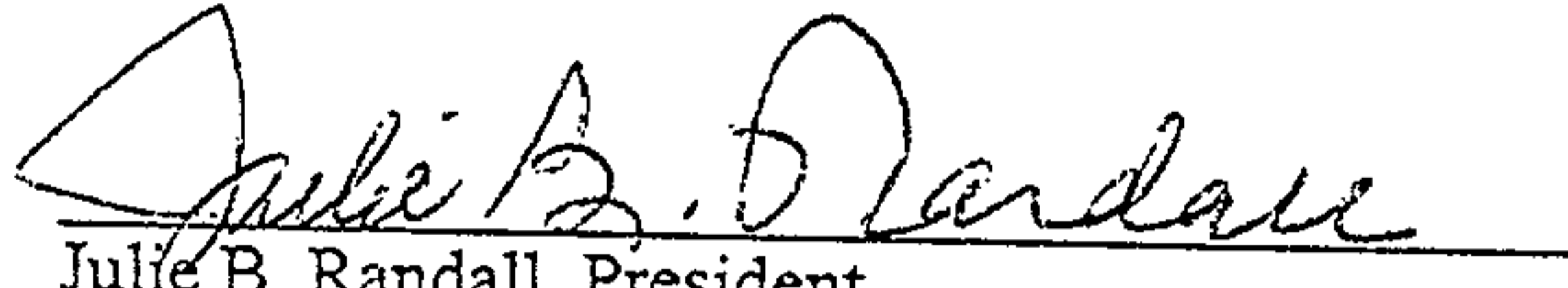
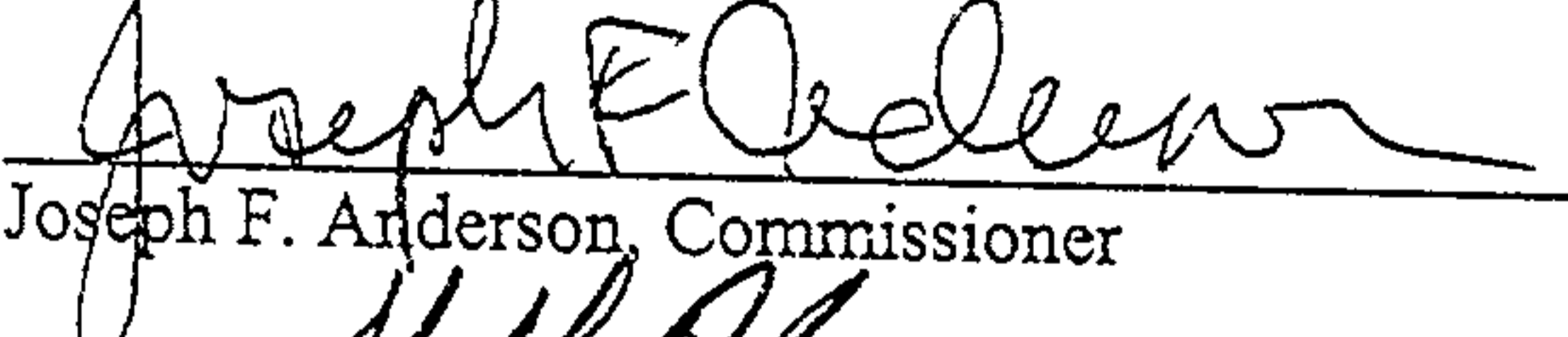
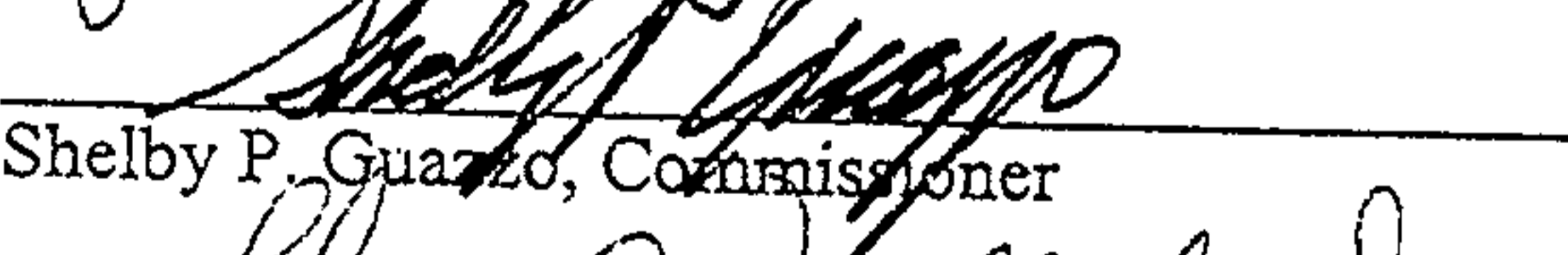
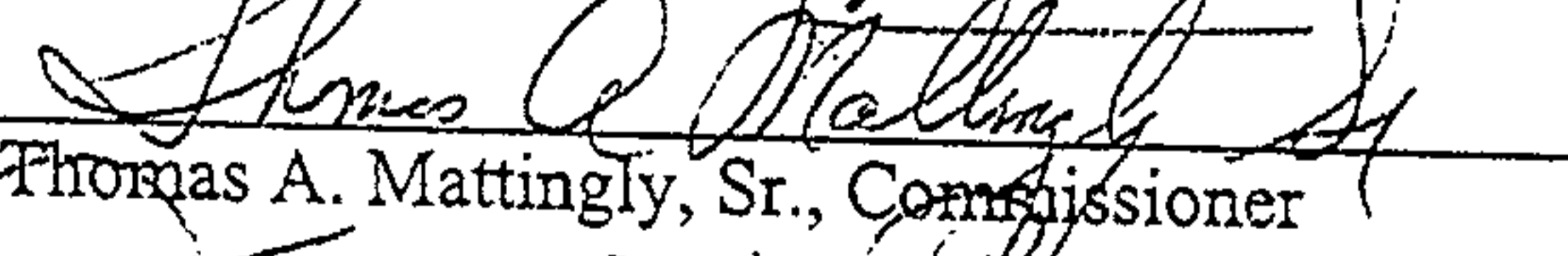
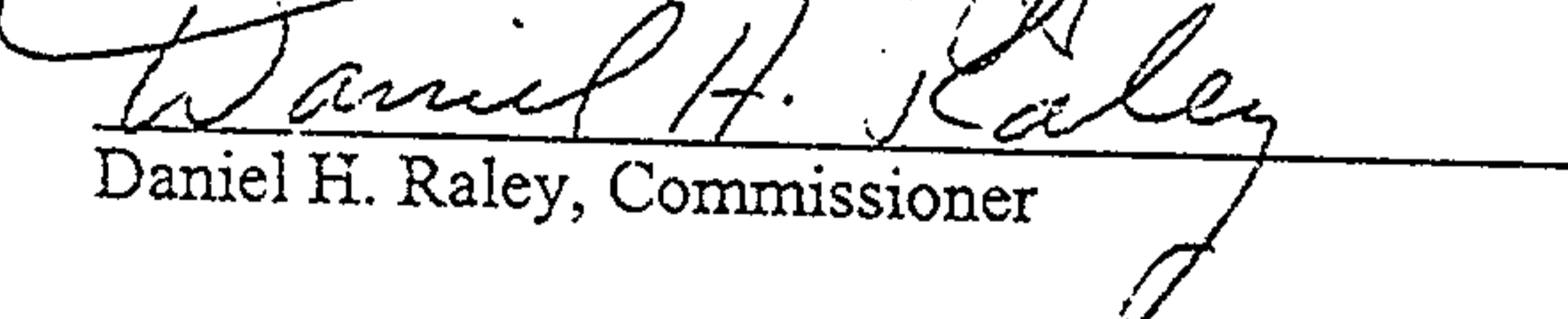
NOW, THEREFORE, BE IT RESOLVED that the Board of County Commissioners for St. Mary's County, Maryland, finds that, upon the advice of the Director of the Department of Public Works and Transportation, a hazardous condition currently exists at the intersections of Steeple Court, County Route 31303, and Persimmon Creek Road; Cathedral Court, County Route 31304, and Persimmon Creek Road; and Pastor Court, County Route 31305, and Persimmon Creek Road; and that in the interest of public safety and to eliminate a hazardous condition, Steeple Court, County Route 31303, Cathedral Court, County Route 31304, and Pastor Court, County Route 31305, further identified as being located in Phase 2 of the Persimmon Hills Subdivision, Fifth (5th) Election District, St. Mary's County, Maryland (Plat Reference: EWA 44, Page 10) shall be designated as Stop Streets, which is a reasonable exercise of this Board's police powers; and


BE IT FURTHER RESOLVED, that the Board of County Commissioners for St. Mary's County, Maryland, directs and instructs the Director of the Department of Public Works and Transportation to erect traffic control devices, specifically stop signs, on Steeple Court, County Route 31303, at the intersection with Persimmon Creek Road, Cathedral Court, County Route 31304, at the intersection with Persimmon Creek Road, and Pastor Court, County Route 31305, at the intersection with Persimmon Creek Road, as necessary to identify Steeple Court, Cathedral Court and Pastor Court as Stop Streets.

Those voting aye: ALL
Those voting nay: _____
Those abstaining or absent: _____
Date of Adoption: 2/27/01
Effective Date: 2/27/01

RECORDING FEE 0.00
TOTAL 0.00
Res#5803 Acct#999999
EWA MAD 2/27/01
Mar 01, 2001 09:11 am

ATTEST:

Alfred A. Lacer
County Administrator

BOARD OF COUNTY COMMISSIONERS FOR
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

APPROVED AS TO FORM
AND LEGAL SUFFICIENCY:

John B. Norris, III
Deputy County Attorney

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

RECORDING FEE 0.00
TOTAL 0.00
MAR 15 2001 11:15 am
EPA MD 01R#1102

**A RESOLUTION REPEALING THE ST. MARY'S
COUNTY SAFETY AND HEALTH POLICY
ADOPTED PURSUANT TO RESOLUTION 95-18 OF
THE BOARD OF COUNTY COMMISSIONERS FOR
ST. MARY'S COUNTY, MARYLAND, AND
ADOPTING, IN ITS PLACE, A REVISED ST.
MARY'S COUNTY SAFETY AND HEALTH POLICY**

WHEREAS, the Board of County Commissioners for St. Mary's County, Maryland has a sincere concern for the welfare, health and safety of County employees and the public it serves and acknowledges its obligation as an employer to provide the safest possible working conditions for employees and its obligation as a government service organization to provide a safe environment for the public that uses its services; and

WHEREAS, a Safety and Health Program was first adopted for St. Mary's County Government on November 11, 1984 and subsequently revised in 1995 and adopted by the Board of County Commissioners by Resolution 95-18; and

WHEREAS, a committee of County employees has conducted an extensive review of the 1995 Safety and Health Program and has recommended an update to the St. Mary's County Safety and Health Program to provide a more effective and efficient policy; and

WHEREAS, the recommended Safety and Health Policy (SHP), Exhibit A hereto, charges Department Directors/Managers with developing and administering an effective safety program in their department; directs Department Directors/Managers and supervisors at all levels to make safety a matter of continuing concern, equal in importance to all other operational considerations; charges all employees with the responsibility to be aware of and comply with safety rules and to cooperate with and support safety program activities; and establishes a County Safety Committee to provide continuous oversight of the Safety and Health Policy and assist departments in implementing their safety programs. The County Safety Committee is comprised of the Risk Manager, Human Resources Director, and representatives from the departments of Public Works & Transportation, Facilities Management, Recreation & Parks, Planning & Zoning, Building Permits, Economic Development, Office on Aging, Emergency Management, Emergency Communications and Sheriff's Office.

NOW, THEREFORE, BE IT RESOLVED by the Board of County Commissioners for St. Mary's County, Maryland that:

1. Resolution 95-18, establishing and revising a Safety and Health Program, is hereby repealed in its entirety, together with any and all other previously adopted Safety and Health Programs; and
2. The St. Mary's County Safety and Health Policy is hereby adopted as attached hereto as Exhibit A and incorporated by reference, as if full set forth herein, and copies are to be provided to all County employees; and
3. The that the foregoing recitals are hereby adopted as written above; and
4. This RESOLUTION shall be effective upon the date written below.

BOOK 0017 PAGE 0099

Those voting Aye: Anderson, Guzzo, Mattingly, Raley

Those voting Nay: _____

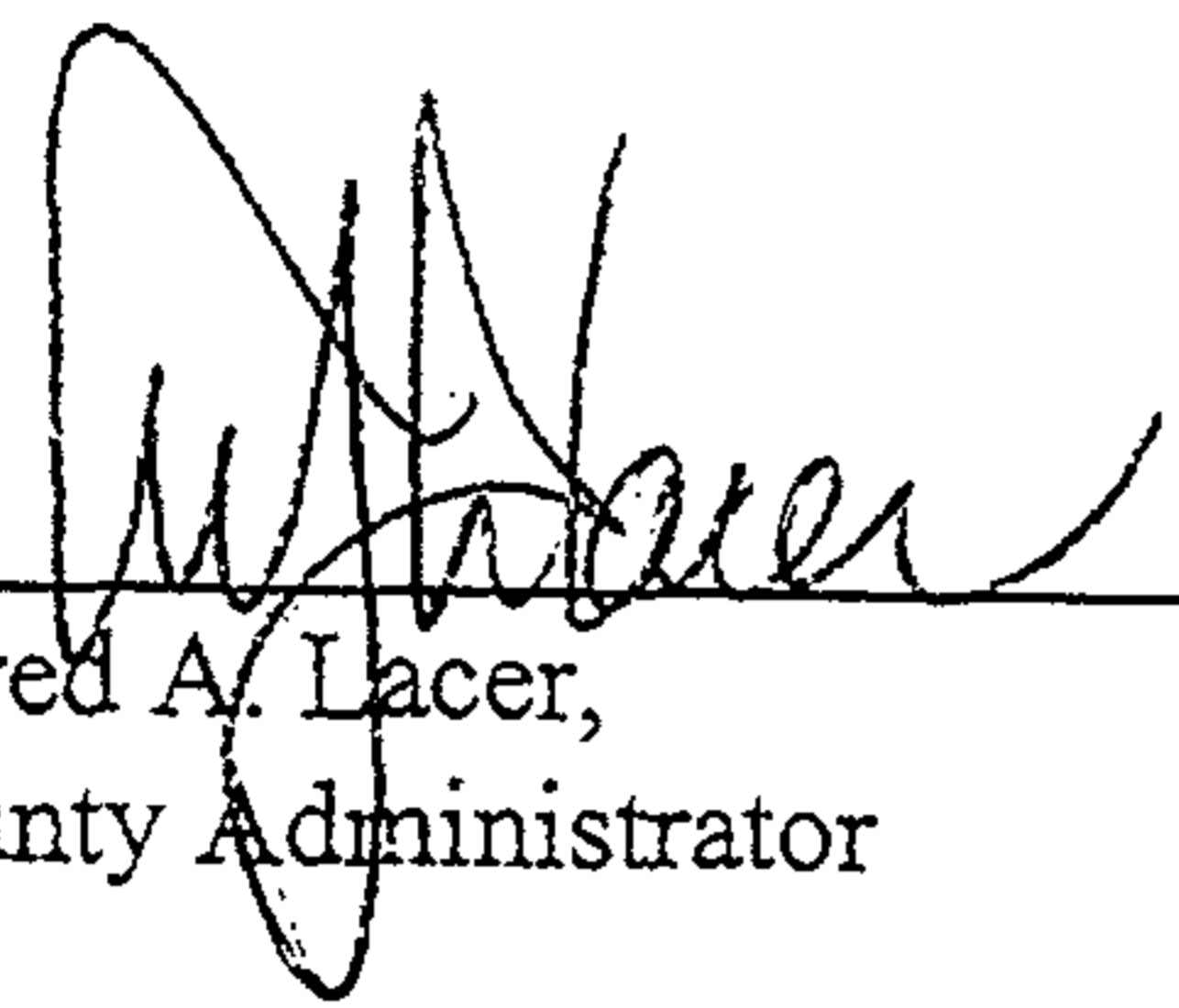
Those Absent: Randall

ADOPTED: 3/13/01

EFFECTIVE DATE: 3/13/01

ATTEST:

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

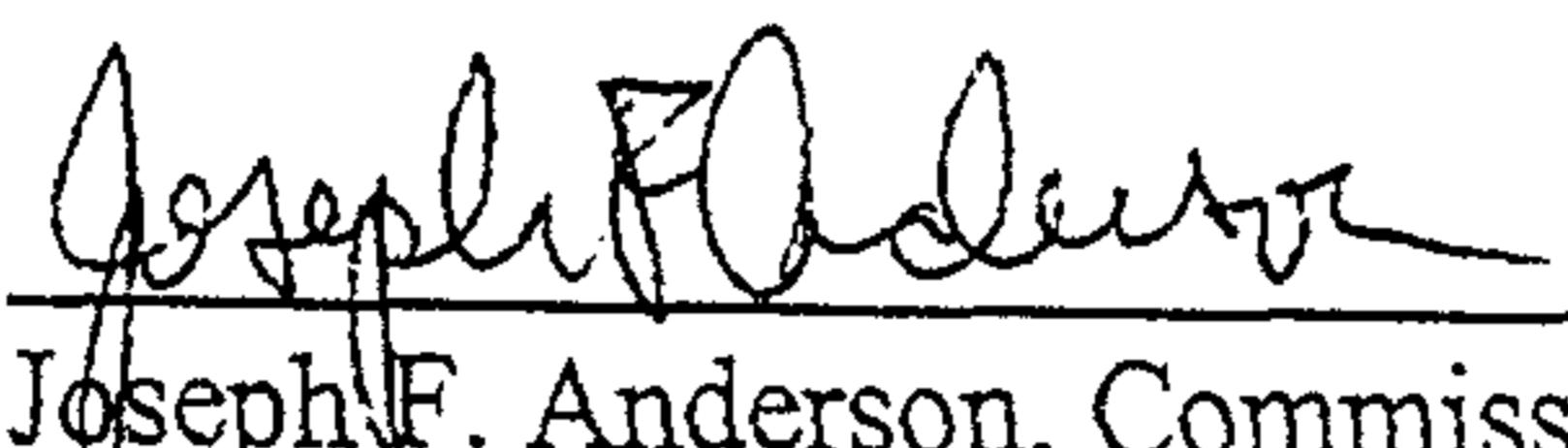


Alfred A. Lacer,
County Administrator


absent

Julie B. Randall, President

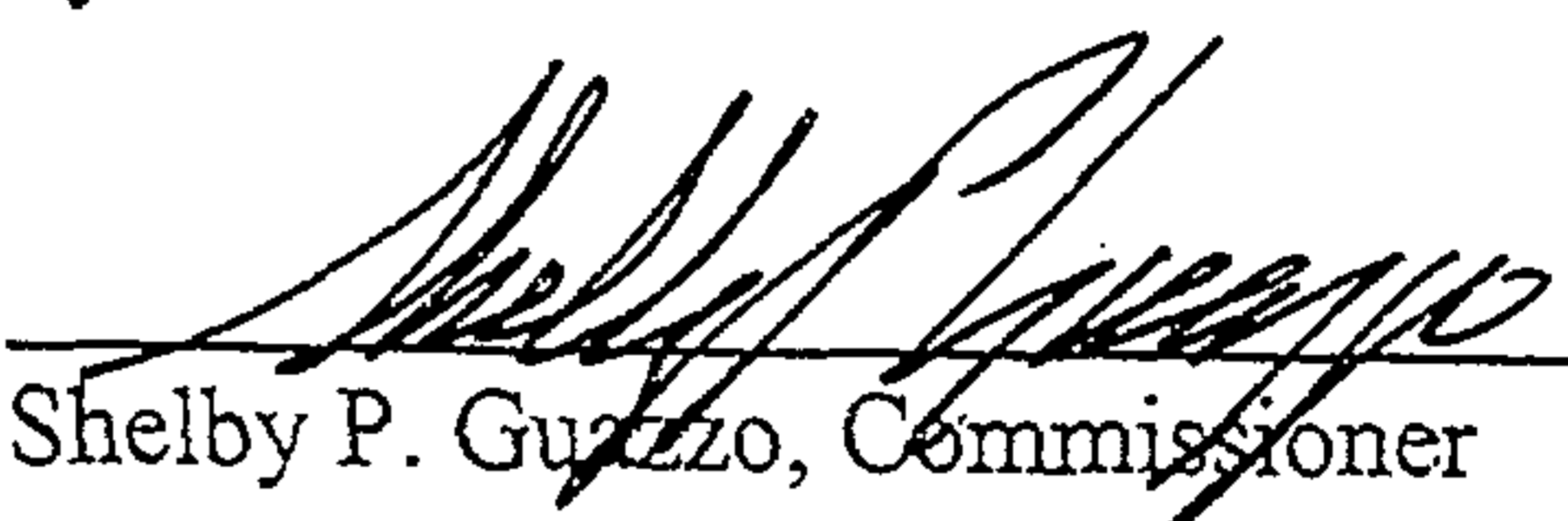
APPROVED AS TO FORM AND
LEGAL SUFFICIENCY:



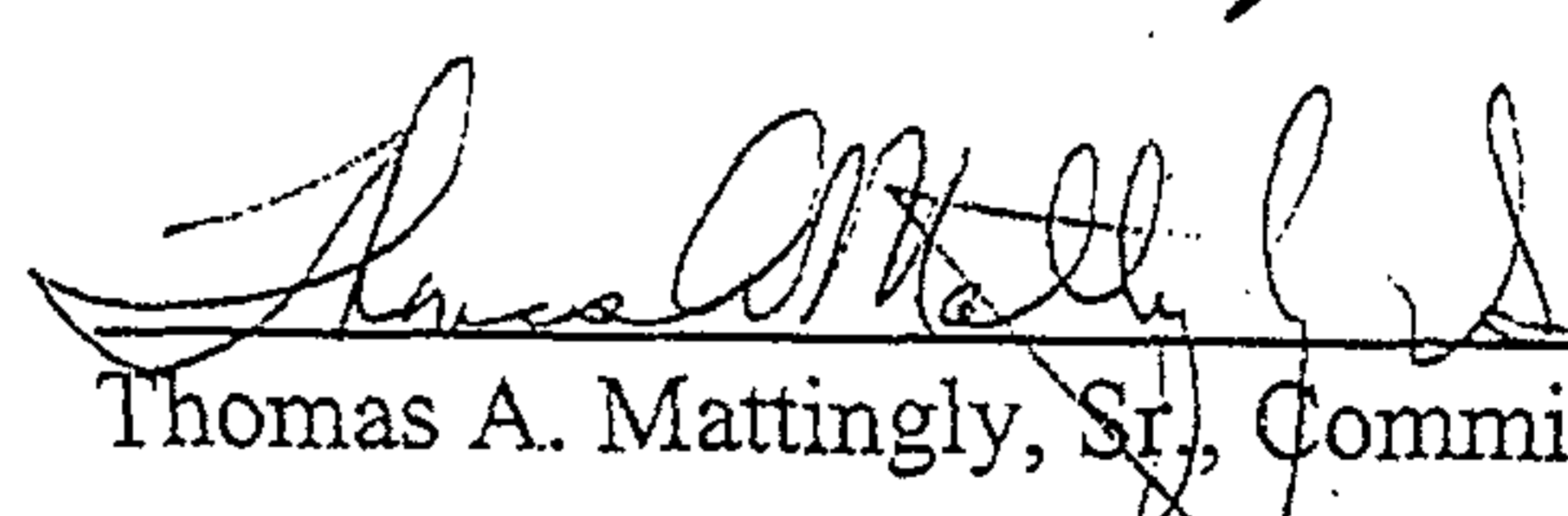
Joseph F. Anderson, Commissioner



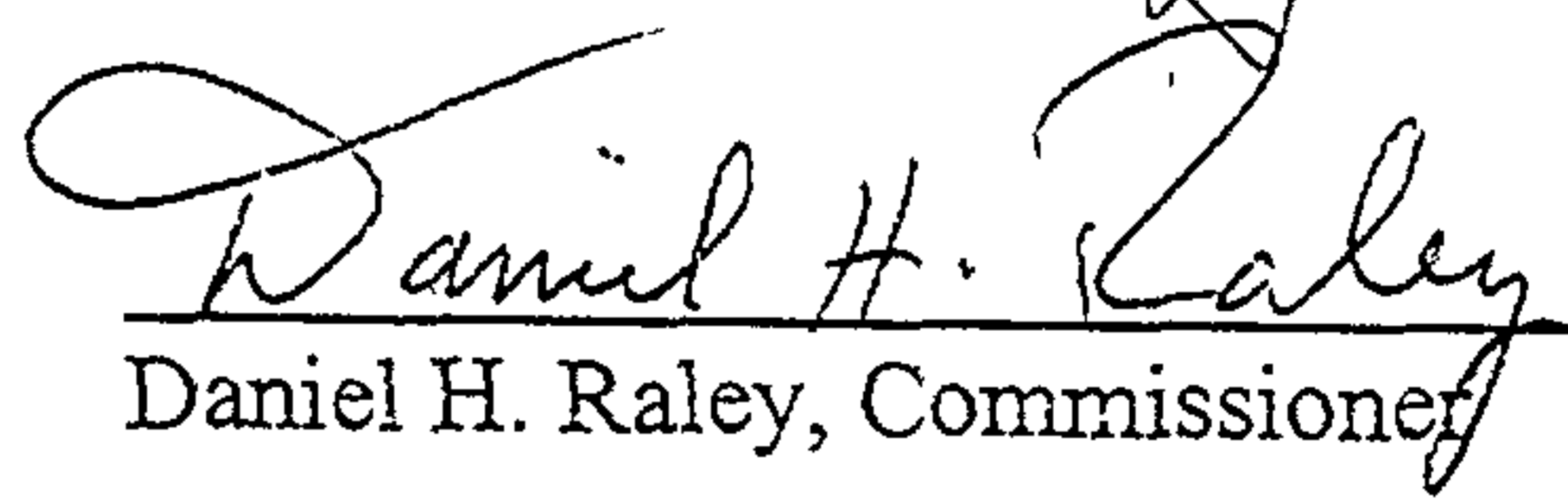
John B. Norris, III
Deputy County Attorney



Shelby P. Guzzo, Commissioner



Thomas A. Mattingly, Sr., Commissioner



Daniel H. Raley, Commissioner




BOOK 0017 PAGE 0100

ST. MARY'S COUNTY SAFETY AND HEALTH POLICY

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	ST. MARY'S COUNTY GOVERNMENT POLICY	POLICY NO.
		APPROVAL DATE:
	SUBJECT: ST. MARY'S COUNTY SAFETY AND HEALTH POLICY (SHP)	REVISION DATE:

NOTE: Gender – For convenience, the policy manual employs the masculine third person pronouns, “he, him, and his.” The terms refer to either gender.

01.00 PURPOSE

01.01 The purpose of the St. Mary's County Safety and Health Policy (SHP) is to implement an effective safety and health program which will ensure that employees have a safe and healthful work environment, and that they perform their duties in a safe manner. It will accomplish this by:

1. Assigning responsibility for implementing and overseeing the program.
2. Designating the authority for the program.
3. Giving directions for carrying out the program.
4. Giving standard safety and health guidelines.

02.00 REVISIONS / LAWS AND REGULATIONS

02.01 The Policy may be revised at any time to reflect changes in the County's safety and health needs and changes in the law. Safety measures, in addition to those set forth herein, may be taken by appropriate County officials or supervisors as deemed warranted.

02.02 St. Mary's County shall comply with state and federal laws and regulations concerning occupational health and safety.

02.03 Appendices will be added and amended to the Safety and Health Policy as needed to comply with State and Federal regulations. Appendices included on date of adoption are A—Safety Rules (General and Specialized); B--Emergency Evacuation Plan; C--Bloodborne Pathogens Control Plan; D--Tuberculosis Exposure Control Plan; and E—Forms.

03.00 DEPARTMENTS AFFECTED

03.01 All St. Mary's County departments and agencies.

04.00 OBJECTIVE, SCOPE AND RESPONSIBILITIES

- 04.01 The Board of County Commissioners has a sincere concern for the welfare and safety of County employees and the public it serves. It acknowledges its obligation as an employer to provide the safest possible working conditions for employees and, as a government service organization, to provide a safe environment for the public that uses its services.
- 04.02 Most accidents are preventable, and no part of the service we render should ever become so important that it will endanger the life of an employee or jeopardize the safety of the general public.
- 04.03 The St. Mary's County Safety and Health Policy strives to reach the goal of a work environment free of potential hazards through informed leadership and adequate supervision; job training and safety instruction; worksite inspections to identify potential safety hazards; and documentation, through accident reports/investigations and annual safety reports, to provide the mechanism to evaluate the policy's effectiveness and identify opportunities for improvement.
- 04.04 Department Directors/Managers are charged with developing and administering an effective safety program in accordance with the County's Safety and Health Policy. Department Directors/Managers and supervisors at all levels of the County workforce are directed to make safety a matter of continuing concern, equal in importance to all other operational considerations. All employees are charged with the responsibility to be aware of and comply with safety rules and to cooperate with and support safety program activities.
- 04.05 To provide continuous oversight of the County's Safety and Health Policy and assist departments in implementing their safety programs, the Board of County Commissioners hereby appoints and hereby establishes a eleven (11) member Safety Committee comprised of the Risk Manager, Human Resources Director, and representatives from the departments of Public Works & Transportation, Facilities Management, Recreation & Parks, Planning & Zoning, Building Permits, Economic Development, Office on Aging, Emergency Management Agency, Emergency Communications, and Sheriff's Office.

05.00 STAFFING AND RESPONSIBILITIES

The St. Mary's County Safety and Health Policy (SHP) shall be carried out through the following individuals and bodies.

05.01 EMPLOYEES

1. Be aware of safety rules and exercise good judgment in the performance of all assigned duties.
2. Be familiar with applicable SHP rules and comply.
3. Report any safety and health hazards promptly.
4. Report all accidents immediately.
5. Obtain medical attention when needed or as directed by a supervisor.

05.02 SUPERVISORS

Along with all other supervisory duties, safety is a normal day-to-day responsibility that goes with being a Supervisor. Therefore, you should:

1. Be familiar with provisions of the SHP and be able to interpret them to other employees.
2. Train employees to work safely.
3. Ensure employees are following safety rules.
4. Be alert to safety and health hazards while carrying out routine duties, and take prompt action if necessary.
5. Investigate all accidents promptly, and submit required reports.
6. Make continual supervisory inspections while performing normal duties. Any infractions should be corrected and/or reported to the Department Director/Manager or designee for corrective action.
7. Obtain prompt medical attention when necessary.
8. Set a good example.

05.03 SAFETY COMMITTEE

The Safety Committee will be appointed by the Board of County Commissioners to monitor and assist Department Directors/Managers in carrying out the SHP and coordinating its activities. The Committee will be comprised of representatives as identified in Section 04.05. The responsibilities are listed below:

1. The Committee will elect a Chair and Co-Chair from its membership who are to be elected every 2 years, with elections held every other January beginning in 2001. (An interim election is to be held within 14 days of SHP approval by the Board of County Commissioners.)
2. Ensure departmental compliance with State and Federal regulations and the SHP and assist as necessary.
3. If a safety and health hazard is reported to the Safety Committee, they will immediately notify the Department Director/Manager to initiate corrective action. If corrective action is not taken in a reasonable amount of time, the Safety Committee will report the violation to the County Administrator.
4. Forward safety and health information to Department Directors/Managers through the Safety Committee.
5. Assist departments with developing their emergency evacuation plans and routes.
6. Assist the Risk Manager by suggesting safety-training topics.
7. In collaboration with the Risk Manager, will maintain annual summation reports concerning safety and health from the departments. Submit, annually, to the Board of County

Commissioners a summation of safety initiatives undertaken throughout the year. This report shall include the significant activities of the year, problems and challenges encountered, and plans for the next year.

8. Through coordination with the Human Resources Department, ensure all employees obtain a current copy of the SHP and ensure that all employees annually review the Policy by signing a document stating the same that will be filed in their personnel file.

05.04 DEPARTMENT DIRECTORS/MANAGERS

The Department Directors/Managers are charged by the Board of County Commissioners with the administration of the St. Mary's County Safety and Health Policy.

Responsibilities:

1. Responsible for reporting to the Safety Committee and for developing, if necessary, departmental-specific safety plans. A copy of these plans will be forwarded to the Risk Manager.
2. Issue directions, procedures and guidelines to staff for implementing the SHP.
3. Be familiar with and ensure compliance with the SHP.
4. Review safety information from the Safety Committee and disseminate throughout the department.
5. Make budget recommendations regarding their departmental safety and health issues for inclusion in their annual operating budget requests.
6. Maintain safety and health records for their department.
7. In conjunction with the Risk Manager, carry out a program of inspection of their facilities and worksites at least annually. A Self-Inspection Checklist appears with Appendix E/Forms.
8. Carry out accident investigations in accordance with the SHP.
9. Promote safety and health training for their employees and ensure supervisors receive the necessary training to do their job.
10. Identify safety and health hazards, and ensure speedy corrective action is taken on all known hazards.
11. Ensure all employees are permitted to report safety and health hazards without fear of reprisal.
12. Keep all safety plans current by reviewing at least annually.
13. Document, in writing, all safety and health training, inspections, etc., and submit copies of documentation to the Risk Manager.
14. Set a good example in safety and health practices.

05.05 COUNTY ADMINISTRATOR

BOOK 0017 PAGE 0105

The County Administrator has the authority to ensure Department Directors/Managers are complying with the County Safety and Health Policy and to provide such direction to Department Directors/Managers and the Safety Committee as deemed necessary and appropriate. Any infractions reported to the Safety Committee that are not corrected will be forwarded to the County Administrator for further resolution.

06.00 AWARENESS, TRAINING AND EDUCATION

06.01 AWARENESS

1. Department Directors/Managers are responsible for the promotion of safety and health awareness in their department. Departments should use materials such as safety slogans, posters, appropriate safety and health news items, and new or important safety warnings or procedures for the promotion of safety and health awareness, in addition to the posters required by law.
2. Departments should consider having one or more areas set aside for the posting of safety and health material in locations where it can easily be seen by all employees. Materials should be changed frequently enough to maintain employee interest.
3. The Safety Committee is responsible for supplementing the awareness efforts of the departments by including safety and health information in the employee newsletter and distributing selected publications and other materials to departments as appropriate.

06.02 TRAINING AND EDUCATION

1. In collaboration with the Risk Manager, Department Directors/Managers are responsible for promoting safety and health training and education programs for their department. Education is an important factor in the effective implementation of a health and safety program. Departments should assist the Risk Manager in developing an annual training schedule to ensure important safety measures, particular to that department, are reviewed with employees regularly.
2. The Risk Manager will determine the particular training methods to be used. Resources for training classes and materials include the Maryland Occupational Safety and Health Administration (MOSHA), the Federal Occupational Safety and Health Administration (OSHA) and the County's insurance carriers. The Safety Committee may provide departments with resource information relevant to their requested training program.
3. Informal training sessions are important components of a training program, and supervisors should hold informal training sessions as often as work permits. Supervisors should be alert to opportunities, such as potential safety hazards, to discuss appropriate safety measures with employees.

07.00 ENFORCEMENT AND INSPECTIONS**07.01 ENFORCEMENT**

1. Safety and health procedures cannot be effective unless provision is made for enforcing them. Enforcement is a responsibility of Department Directors/Managers and supervisors. All employees, however, are encouraged to identify and call attention to hazards.
2. Enforcement is much more than a matter of discipline, and enforcing authorities should keep the following in mind:
 - a. Department Directors/Managers and supervisors must be familiar with safety procedures and must set a good example by following them consistently.
 - b. Education is a critical factor in order for employees and supervisors to carry out their responsibilities regarding safety. Education can often be more effective than discipline.
 - c. When an employee willfully disobeys safety and health procedures, it may be necessary to take some type of disciplinary action. Department Directors/Managers and supervisors should follow the guidance provided in the St. Mary's County Manual of Personnel Policies and Procedures.

07.02 INSPECTIONS

In order for the SHP to be effective, it must provide for regular inspections of all worksites.

Inspections are important as they serve to:

1. Identify safety and health hazards before accidents occur.
2. Stimulate interest and encourage active participation in the SHP through personal contact between the inspector and the individuals on the job.
3. Point the way to changes in the SHP.

07.02.01 Continual Inspections:

Employees and supervisors are charged with making continual inspections of worksites. This should be a part of the daily routine.

07.02.02 Periodic/Annual Inspections:

Department Directors/Managers will ensure that a safety inspection is conducted at each worksite on a periodic basis, but no less than annually. These inspections will be documented in writing and forwarded to the Risk Manager. Appropriate inspection forms appear with Appendix E/Forms.

08.00 REPORTS AND RECORDS

The County Safety and Health Policy encompasses the following reports and records.

08.01 ACCIDENT/INCIDENT REPORTS

- 08.01.01 Accidents are unplanned events that result in either injury to persons, damage to property, or financial loss to the County. Incidents are unplanned events involving exposures, diseases and illnesses.
- 08.01.02 Serious physical harm is defined as harm that would cause permanent or prolonged impairment of the body in that (1) a part of the body would be permanently removed, or rendered functionally useless or substantially reduced in efficiency, or (2) a part of an internal body system would be sufficiently inhibited in its performance to shorten life or reduce physical or mental efficiency.
- 08.01.03 Accidents of a serious nature should be reported verbally to the appropriate authorities as discussed below immediately and followed up with the required written reports.
1. Employee Accident/Incidents
 - a. The Workers Compensation Call In Form should be completed for all employee accidents, exposures, diseases or illnesses. The report should be prepared **on the day of the incident** by the immediate supervisor of the involved employee, and if the accident results in serious injury (requiring more than first aid) and lost time, the supervisor should take the following steps:
 - Complete the Workers Compensation Call In Form (appears with Appendix E/Forms) and call the Insurance Carrier with the report.
 - Fax the report to the Risk Manager.
 - Contact the Risk Manager to supply any additional information as needed.
 - b. If the injury is not serious (only requiring first aid treatment) and there is no time lost from work, the supervisor should take the following steps:
 - Complete the Workers Compensation Call In Form. (You need not report these to the Insurance Carrier.)
 - Fax the report to the Risk Manager.
 - Contact the Risk Manager to supply additional information as needed.
 - c. The County's policies and procedures for Workers Compensation are detailed in the St. Mary's County Manual of Personnel Policies and Procedures.
 2. Vehicle Accidents
 - a. All County-owned vehicles involved in an accident will require a police report.
 - b. Vehicle accidents are reported on the Vehicle Accident Report (see Appendix E/Forms). An employee who is involved in a vehicle accident and injured during working hours will also complete a Workers Compensation Call In Form, as detailed above.
 - c. Vehicle Accident Report forms will be kept in all County-owned vehicles. The Vehicle Accident Report will be completed: (1) any time a County-owned vehicle is involved in

an accident (whether it is during working hours or not); and (2) when an employee-owned vehicle is involved in an accident during the employee's working hours while the employee is performing their job (e.g., if the employee in an employee-owned vehicle is involved in an accident during their lunch break, the employee is not "performing their job," and the accident should not be reported.

- d. The Vehicle Accident Report will be completed by the employee who is involved in the accident. If the employee is unable to complete the form, their immediate supervisor will complete it. The Vehicle Accident Report is to be faxed to the Risk Manager within 24 hours of the accident. The report should be submitted through the Department Director/Manager, or immediate supervisor if the Department Director/Manager is unavailable.

3. Other Accidents Including Non-Employee Accidents / Incidents

Other accidents or incidents involving injury to other persons or damage to another person's property will be reported on the General Liability Report (Appendix E). For example, a citizen who slips and falls in a County building may result in the County being liable for medical care and should be reported on the General Liability Report. This report should be completed by the employee who witnesses the accident/incident or receives the report of the accident/incident and faxed to the Risk Manager as soon as possible, but no later than 24 hours after the incident. The report should be submitted through the Department Director/Manager, or immediate supervisor if the Department Director/Manager is unavailable.

4. Property or Equipment Loss or Damage

County property or equipment damage as a result of an accident should be reported on the Property/Equipment Breakdown form (Appendix E). For example, a fire causes damage to a County owned building and/or a piece of equipment. This report should be completed by the employee who finds the damage. Then, fax the report to the Risk Manager as soon as possible but no later than 24 hours after the incident. The report will be submitted through the immediate supervisor to the Department Director/Manager or his designee.

08.02 MAINTENANCE REQUESTS

All Maintenance requests will be forwarded to the appropriate department to report maintenance needs, including safety items.

08.03 SAFETY COMMITTEE ANNUAL SAFETY AND HEALTH SUMMARY REPORT

The Safety Committee in collaboration with the Risk Manager is required to submit an annual summarization of departmental safety and health reports to the Board of County Commissioners. The Safety Committee report will include the significant activities of the past year, an evaluation of the safety and health program, problems and challenges encountered or expected, and plans for the next year.

APPENDIX A

**ST. MARY'S COUNTY
SAFETY AND HEALTH POLICY**

**SAFETY RULES
General & Specialized**

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GENERAL SAFETY RULES

It is beyond the scope of this policy to list safety rules that will apply to every conceivable work situation in County government, but the rules contained herein, if followed, will minimize the risk of occupational injury and illness. These rules are general in nature and do not preclude those found in MOSHA/OSHA regulations, the Maryland Annotated Code and Departmental Procedures. These rules may be amended from time to time to reflect regulation changes. For more specific directions, contact your Department Director/Manager.

The following rules are basic in nature and apply to all County Employees.

A. EQUIPMENT

1. Inspect electrical cords regularly for defects. Discard all cords with bare wires or frayed insulation. DO NOT PATCH.
2. Do not leave electrical cords lying on the floor or ground when not in use.
3. Do not make repairs to any electrical equipment or cords unless you are qualified and authorized.
4. Do not use metal ladders near electrical wiring.
5. Shut off overheated equipment immediately.
6. Do not stand on a damp surface while operating electrical equipment.
7. Space heaters will not be permitted.

B. FIRE PROTECTION

1. Observe NO SMOKING signs without exception.
2. Do not smoke in areas where flammable or combustible materials are stored.
3. Make sure NO SMOKING signs are posted where required.
4. Do not leave any fire or flame unattended.
5. When smoking, make sure all cigarettes, cigars, etc. are completely extinguished before discarding.
6. Keep work areas free from accumulation of trash, debris, and other flammable materials.
7. Fire extinguishers will be placed where they are highly visible and easily accessible-- by the exits if possible. They shall be prominently marked with their type, directions for use, and date of last inspection.
8. Fire protection devices shall not be tampered with or used for any other purpose other than fire protection.
9. Keep fire exits and doors free from all obstructions.

10. Know where the fire alarms are and how to sound them.
11. Know where the fire extinguishers are and how to use them.
12. Know the location of the nearest exit to your workstation.
13. Each building shall hold fire drills in accordance with the Emergency Evacuation Plan (Appendix B). All employees will participate.
14. In case of a fire: See the Emergency Evacuation Plan (Appendix B).

C. GENERAL

1. Know your job and be fully acquainted with the tools, machinery, and equipment you use. Be familiar with safety requirements.
2. Emergency telephone numbers should be posted at each establishment. KNOW WHERE THEY ARE.
3. Do not engage in horseplay.
4. Do not consume alcoholic beverages or drugs. (See the St. Mary's County Manual of Personnel Policies and Procedures.)
5. Straighten up your work place each day before leaving work.
6. Use passageways and aisles as required. DO NOT take shortcuts.
7. Walk -- Don't Run -- up and down stairs. Take one at a time and use the handrail.
8. Keep out of restricted areas.
9. Never use chairs, tables, boxes, or file cabinets for ladders.
10. Do not jump or climb down from elevated structures.
11. Do not toss or drop material or tools to other employees. Pass them.
12. Clean up any spills immediately.
13. Never open more than one file drawer at a time.

D. HEALTH

1. A supply of drinking water shall be provided.
2. At signs of infestation, call the Building Services.
3. All enclosed working areas shall be adequately ventilated. Forced ventilation shall be provided in enclosed areas subject to toxic fumes or gases.

4. When working in extremely hot temperatures, drink plenty of water and take regular short breaks as directed by your supervisor. In addition, wear appropriate clothing and sunscreen when in the sun for long periods of time.

E. HOUSEKEEPING

1. Do not use anything but ladders for climbing.
2. Set up ladders so that the distance from the feet to the wall is approximately $\frac{1}{4}$ the height of the ladder.
3. Do not work above the third rung from the top of a straight ladder nor the second step from the top of a step ladder.
4. In climbing up and down ladders, always face the ladder and grasp the runs firmly.
5. Do not try to work at more than an arm's length from each side of the ladder.
6. Do not place ladders in front of unlocked or unguarded doors or in blind corners.
7. Ladders should be inspected regularly for defects.

F. INJURIES

1. Know the location of first-aid kits.
2. Do not give first aid unless you are qualified.
3. Do not move a victim more than is absolutely necessary.
4. Keep onlookers away from a victim.
5. Report all injuries, no matter how slight, to your supervisor, who is required to report the injury per Section 08.00 of the SHP.

G. LIFTING AND CARRYING

1. When lifting and carrying, perform the following steps in sequence:
 - a. Determine whether the load is too large or too heavy to carry by yourself. Keep in mind how far you have to carry it, and if there is any doubt, get HELP. Never carry a load you cannot see over.
 - b. Inspect material for splinters, jagged edges, and rough surfaces. In such cases, you should wear gloves.
 - c. Wipe off wet, greasy, or slippery objects before lifting, and make sure your hands are free of oil and grease.
2. Solo Lifting and Carrying:
 - a. Position your feet close along side the object, making sure you have firm footing.

- b. Take a sitting position over the object, keeping your back straight. If you have to bend, bend from the hips; keep your back straight, but not necessarily vertical. Tuck your chin in.
 - c. Grip the object with your whole hand. Use your palm as well as your fingers.
 - d. Draw the object in close to your body.
 - e. Lift by straightening your legs.
 - f. Keep the object as close to your body as possible, and keep your body weight over feet.
 - g. Never twist your body in lifting or carrying; change direction of your feet.
 - h. To set the object down, remember to keep your body weight over your feet, the object close to your body, your back straight, and your chin tucked in. Do not shift your grip until you actually release the object.
 - i. To place an object on a bench or table, first set it on the edge and push it far enough onto the table to keep it from falling off. Then remove your hands and push it into place.
 - j. To lift a load above shoulder height, first lift it to your waist! Rest it on a support, if one is available, and shift your hands so you can push the load up to your shoulder. Then bend your knees, and lift the load the rest of the way as you straighten your knees.
 - k. To lower a load from above the shoulder, first lower it to your waist and rest it on a support, if one is available. Shift your hand position, and lower the load the rest of the way to the floor, keeping your back straight and bending your knees.
 - l. To place an object in a tight space, it is safer to slide it into place with your hands in the clear, than try to lift it and set it down.
 - m. When you have to carry long objects such as pipe or lube by yourself, carry the load over your shoulder and keep the front end elevated to avoid striking other employees, especially at corners. Call out a warning as your load approaches a corner.
 - n. Never hurry. If the material is so heavy you have to hurry to keep from getting tired, you need help. Get it before you start.
3. Team Lifting and Carrying
- a. Let one person take command and call the signals. Make sure before starting that the signals are understood by everybody.
 - b. Adjust the load so that each person carries an equal weight. Make test lifts before the actual lifting, if necessary.
 - c. Follow the same procedures as in solo lifting.

4. In lifting boxes, cartons or bags, the best grip is usually by diagonal top and bottom corners.

H. MOTOR VEHICLES

1. Operation:

- a. Each operator is responsible for the safe operation of his vehicle.
- b. The operators must have the required Maryland State operator's license for the vehicle that they are operating.
- c. Operators shall obey all State, County, and local traffic regulations.
- d. No vehicle known to have defects in the following systems shall be used in regular operations:
 - (1) Lights
 - (2) Transmission
 - (3) Engine
 - (4) Brakes
 - (5) Steering
 - (6) Tires and Wheels
 - (7) Radiator
 - (8) Ignition and Wiring
 - (9) Exhaust

Before driving, the operator shall check his vehicle's brakes, lights and directional signals.

- e. Individuals driving or riding in County vehicles shall wear seat belts.
- f. Only County employees and Non-County persons engaged in County business shall be carried as passengers, and then only when authorized. (Does not apply to Sheriff's Department vehicles.)
- g. No one shall ride on the exterior of a motor vehicle.
- h. Passengers shall not get in or out of a vehicle until signaled to do so by the operator.
- i. Do not overload trucks.
- j. Materials being transported must be securely fastened down and must not obstruct the operator's vision.
- k. When transporting equipment by truck, the equipment and all movable parts shall be secured to prevent shifting and rolling.
- l. Do not transport tools or equipment on the rear window ledge.
- m. When leaving a vehicle, the operator shall follow this procedure:

- (1) When on grade, turn to the curb or chock at least one wheel.
 - (2) Shift to the lowest gear opposite to the incline.
 - (3) Stop the engine and remove the ignition keys.
 - (4) Set the parking break.
 - (5) Turn off the lights.
 - (6) Lock the doors.
- n. Avoid driving when excessively tired or ill.
- o. Report ALL accidents.

I. OFFICE SAFETY

1. Wherever possible, aisles shall be uniform width, and shall be kept clear of furniture, supplies, trash receptacles, etc.
2. File cabinets shall be located so that drawers do not open into isles.
3. Keep file drawers closed when not in use.
4. Slick floors shall be covered with a slip resistant preparation.
5. Carpeting or other floor covering that is torn, curled or threadbare shall be repaired or replaced.
6. Operable windows must open and close freely.
7. Place material in file cabinets so that weight is concentrated in the bottom drawers. Open only one drawer at a time, and keep it open only when you are actually filing or removing material. Never leave open drawers unattended.
8. Do not overload shelves.
9. Do not place office machines too close to the edges of desks and tables.
10. Decorations should be made of fire resistant materials.
11. Adequate lighting shall be provided for all desks and work areas.

SPECIALIZED SAFETY RULES

It is beyond the scope of this policy to list safety rules that will apply to every conceivable work situation in County government, but the rules contained herein, if followed, will minimize the risk of occupational injury and illness. These rules are general in nature and do not preclude those found in MOSHA/OSHA regulations, the Maryland Annotated Code and Departmental Procedures. These rules may be amended from time to time to reflect regulation changes. For more specific directions, contact your Department Director/Manager.

A. PERSONAL PROTECTIVE EQUIPMENT

Personal protective equipment shall be worn by all employees engaged in the following activities, and at such other times as considered necessary by the supervisor on the job.

1. All inspectors and visitors to County establishments and work sites shall wear the same personal protective equipment as that prescribed for employees.
2. Wear a sleeved shirt when working in the field; no bare torsos.
3. Wear a long-sleeved shirt and long trousers when engaged in the following activities:
 - a. Working with cement.
 - b. Working with toxic, corrosive, or irritant substances.
 - c. Working with hot asphalt or rubber.
 - d. Working where there is danger of exposure to poison ivy or poison oak.
 - e. Working where there is danger of insect bites or stings.
4. Wear safety shoes when working in an environment that could incur physical injury to the feet.
5. Wear safety belts when working 10 feet or more above the ground.
6. Wear noise suppressors if the noise level at your exceeds 90dbA for more than eight (8) hours per day. If necessary, the supervisor will arrange for the measurement of noise levels.
7. Wear gloves or leather or other appropriate material when engaged in the following activities:
 - a. Working with lumber.
 - b. Working with rough or jagged material.
 - c. Working with toxic, corrosive and irritant substances.
 - d. Working with hot asphalt.
 - e. Working with glass.
 - f. Working with sheet metal.

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8. Wear approved safety glasses, face shield, goggles, etc. when engaged in the following activities:
 - a. Working with toxic, corrosive, or irritant substances.
 - b. Working near rapidly whirling machinery.
 - c. Working with grinders.
 - d. Working with power saws.
 - e. Chiseling and pounding.
 - f. Cutting, welding and burning metal.
 - g. Chopping.
 - h. Wherever else there is danger from flying objects.
 9. Wear a hard hat in the following situations.
 - a. Beneath overhead work.
 - b. Around rapidly whirling machinery.
 - c. When grinding.
 - d. When chiseling.
 - e. When on foot on county construction and maintenance sites where work is in progress.

Do not wear a hard hat with cracks or holes. Turn it over to your supervisor for disposal.
 10. Wear a life jacket when working over or near water where the danger of drowning exists.
 11. Wear a respirator when engaged in the following activities:
 - a. Working in dust (from traffic or machines).
 - b. Spray painting.
 - d. Working with any substance that releases hazardous fumes, gases, vapors or mists.
 12. Wear rubber-soled shoes or boots if you have to operate electrical equipment in wet locations.
 13. Wear safety shoes when engaged in the following activities.
 - a. Lifting and carrying heavy objects.
 - b. Operating tampers, rammers or power hammers.
 - c. While welding.

14. Wear a high-visibility vest in all County highway rights-of-way in the following situations:
 - a. When working on the roadway or shoulders.
 - b. When working in side area within 50 feet of the outside shoulder, unless protected by a guardrail.
 - c. When working in a median 100 feet or less in width.
 - d. In any other situation in which the visibility of the wearer will contribute to his safety.
15. Wear the following personal protective equipment when welding:
 - a. Regulation welding boots.
 - b. Hardened light filter goggles under the hood.
 - c. Long-sleeved shirts buttoned at the collar and cuffs.
 - d. Flame-resistant gloves.
 - e. Long trousers without cuffs extending beyond the tops of the shoes.

B. HEAVY EQUIPMENT

1. Before starting to work, the operator shall familiarize himself with his assignment, and review the hand signals with the signal person.
2. No passengers shall be carried on any equipment, except motor vehicles, and then only on County business and with proper authorization.
3. No equipment, unless so designed, shall be operated from outside the cab.
4. Make sure all personnel are clear of equipment before starting the motors.
5. Do not mount or dismount from equipment that is in motion.
6. Operators shall be familiar with the capacities and limitations of their equipment.
7. Do not refuel equipment with the motor running.
8. Keep the deck plates of free of oil, grease, tools and trash.
9. Do not try to repair equipment unless you are qualified and authorized.
10. Do not leave equipment unattended with the motor running. Turn off the ignition and lock the equipment.

11. When operating lift trucks, always look ahead to watch for obstacles. When traveling downhill, or when the load is high enough to obstruct forward vision, the load follows the machine. When traveling uphill and on the level, the load goes first.
12. Inspect crane hooks daily for cracks and deformation. Turn over defective hooks to the supervisor for removal from service.
13. Inspect load attachment chains daily, and turn over defective chains to the supervisor for removal of service.
14. Keep hose and ropes free of kinks. Ropes shall be inspected daily and if found to be defective, the supervisor shall remove the crane from service until it is replaced.
15. Do not leave the crane unattended with the bucket in the air.
16. Do not wrap chains or ropes around loads. Use slings.
17. Do not swing crane loads near personnel.
18. Load the crane bucket evenly to avoid tipping.
19. Do not stand beneath suspended loads.
20. In swinging loads, be careful not to come into contact with electric wires.

C. ELECTRICAL EQUIPMENT

1. All pieces of electrical equipment shall be clearly marked with the following information:
 - a. Manufacturer's name.
 - b. Current specifications.
 - c. Load capacity.
2. All exposed bulbs in temporary lights shall be guarded.
3. All equipment or wiring shall be guarded or insulated to prevent contact with exposed, live parts.
4. All electric motor frames shall be grounded.
5. Use double insulated power tools, so marked, or three-wire grounded cords.
6. All receptacle outlets at construction sites shall be equipped with approved ground fault circuit interrupters.
7. All flexible cords shall be three-wire type.
8. Shut off sparking motors and overheating equipment immediately.

9. Replace fuses with the same type and size. No substitutes.
10. Breaker switches shall be identified as to the circuits they serve.
11. If possible, do not stand on a damp surface while operating electrical equipment. If you must stand on a damp surface, you must wear rubber-soled shoes or boots.
12. Keep all electrical switches, junction boxes, panels and fuse boxes free and clear. Keep them covered when not in use.
13. Do not use flexible cords as a substitute for fixed wiring.
14. Do not lead flexible cord through holes in walls, ceilings or floors. Do not wind around pipes.
15. When using flexible cord, tie or clip the ends to prevent a direct pull on joints or terminals.
16. Inspect electrical cords regularly for defects. Discard all cords with bare wires or frayed insulation. Do not patch.
17. Do not leave electrical cords lying on the floor or ground when not in use.
18. Do not make repairs to electrical wiring or equipment unless you are qualified and authorized.
19. Do not use metal ladders near electrical wiring.

D. HAND TOOLS

1. Use hand tools only for their designed purpose.
2. Do not try to work with cutting tools that are dull.
3. Make sure that the heads of hammers, axes and picks are tight.
4. Do not hammer chisels and bits that have mushroomed. Have the end reshaped.
5. Carry axes at the side of your body, edge facing out. Do not carry on your shoulder.
6. Keep tools in their box, except when using.
7. When doing overhead work, secure tools that are not in use.
8. Do not throw or drop tools to other employees.
9. Use scabbards for sharp tools, when available.

E. POWER TOOLS

1. Do not operate any power tool unless you are qualified and authorized to do so.
2. Do not wear loose clothing when operating power tools.

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3. Long hair must be restrained by a hat, cap, net, etc.
 4. Inspect power tools first before using them, and frequently thereafter.
 5. Do not lift or carry power tools by the power cords.
 6. Unplug power tools when not in use, and before adjusting or repairing them.
 7. Keep the cutting edges of power tools sharp.
 8. Rotating and reciprocating power hand tools shall be equipped with a constant-pressure kill switch.
 9. Circular handsaws shall be equipped with a self-closing blade guard.
 10. Pneumatic tools shall be equipped with safety clips to keep dies and bits from being expelled from the barrels.
 11. Do not operate grinding wheels in excess of their rated speed.
 12. If a grinding wheel is cracked or chipped, turn it over to your supervisor to dispose of. Do not use.
 13. Tool rests shall be spaced no more than 1/8 inch from grinding wheels.
 14. Turn over damaged saw blades to your supervisor for possible disposal. Do not use.
 15. Before starting a chain saw, make sure you have a firm footing and a clear space in which to work.
 16. While using a chain saw, keep one hand on the handle bar and the other on the control bar.
 17. While using the chain saw, inspect the chain frequently.
 18. Do not force any power saw cut. Allow the saw to proceed at its own speed.
 19. In making ripping cuts with a power saw, use a push stick to pass the wood across the blade.

F. LADDERS AND SCAFFOLDS

1. Do not use anything but ladders for climbing.
2. Set up ladders so that the distance from the feet to the wall is approximately ¼ the height of the ladder.
3. Ladders leading to a roof shall extend at least three feet above the roof.
4. Do not work above the third rung from the top of a straight ladder nor the second step from the top of a step ladder.

5. Do not try to work at more than an arm's length from each side of the ladder; relocate the ladder.
6. In climbing up or down ladders, always face the ladder and grasp the rails or rungs firmly.
7. Do not place ladders in blind corners or in front of unlocked and unguarded closed doors.
8. Ladders shall be inspected regularly for defects (broken steps, rungs, or rails). If a ladder is dropped, it shall be inspected at once, and if defective, it shall be taken out of service and either repaired at once or destroyed, as the supervisor decides. DO NOT USE.
9. Do not paint wooden ladders. Paint may hide defects.
10. Scaffolds and components must be able to support four times the maximum anticipated load.
11. Toe boards and rails shall be used on all open sides of scaffolds. The toe boards shall be at least four inches high.
12. Do not construct makeshift scaffolds, e.g., supported by bricks or blocks, or using old or used lumber.
13. Never use a ladder as a scaffold.
14. Clear scaffolds of all tools, rubbish and building material after each shift.
15. If a ladder or scaffold is erected over foot traffic, make sure the area beneath is barricaded, and warning signs are placed.
16. Tie down ladders.

G. WELDING AND CUTTING

1. Keep gas cylinders away from the operation to avoid sparks.
2. The frames of all welding and cutting machines shall be grounded.
3. Keep welding rods in the container while welding.
4. Put your hood in place before igniting the torch or striking the arc.
5. Wear the prescribed personal protective equipment.
6. Avoid exposing bare skin to sparks.
7. Make sure a fire extinguisher is at the scene.
8. While arc welding, use a flame-proof screen to protect the eyes of other persons.
9. All clothing should be heavy and flame-retardant for protection from sparks.
10. Welder's helpers shall dress in the same way as the welders.

H. MATERIALS HANDLING (NON-HAZARDOUS)

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1. If possible, do not store material so that it blocks aisles or access ways. If this is necessary, mark the area with conspicuous warning signs.
2. When stacking material, use pallets, dunnage or tie strips, if possible. Stack in cross tiers to tie the stacks together.
3. Remove all defective pallets from service.
4. When unstacking, keep the tops of the stacks level and maintain the setback.
5. Stack all bagged material in tiers that are blocked, interlocked and limited to a height you can comfortably reach. Stack the bags with the mouths pointed inward.
6. Do not stack bagged material more than ten bags high without a setback.
7. When removing sand and gravel from a pile, do not create an overhang.
8. Stack pipe, and block it to prevent spreading or rolling. Place each pipe in position. Do not drop in place.
9. When stacking barrels and drums on end, make a pyramid and block the bottom tier.
10. When stacking barrels and drums on their sides, put planks between rows, and block the end of each row.
11. When handling lumber, you should wear leather gloves.
12. When stacking lumber, always use tie strips. Keep the tops of the stacks level.
13. Pull out nails from used lumber before stacking.
14. Whenever possible, avoid carrying material by hand. Use mechanical devices such as trucks, dollies, or skids.
15. Do not roll barrels or drums down skids. Turn them endwise and slide them. Use a rope to control their motion.
16. When operating hand trucks, do not hurry. No running or shortcuts. Approach all corners and blind intersections with caution. Be prepared to stop suddenly.
17. Inspect all trucks and dollies and turn defective ones over to the supervisor for removal from service.
18. Push hand trucks when traveling on the level or downhill. Pull trucks uphill. Never walk backward when using a truck.
19. Never load trucks so high that your view is obstructed.

20. When loading two-wheel trucks, keep the load close to the truck and to the wheels to prevent topping. You should never have to bear weight of the load, only balance, steer and push or pull the truck.

I. HAZARDOUS MATERIALS

1. Flammable Liquids

- a. There shall be no smoking on trucks transporting flammable liquids.
- b. There shall be no smoking, open flames or heating elements in areas being painted.
- c. There shall be no smoking, open flames, or heating elements within 200 feet of flammable liquids that are being transferred or used to fuel equipment.
- d. Keep containers for flammable liquids tightly closed and labeled. There shall be no smoking, open flames or heating elements in the area of these materials.
- e. Storage tanks for flammable liquids shall have relief vents.
- f. Containers of flammable liquids shall not be allowed to sit in direct sunlight any longer than necessary.
- g. Storage areas for flammable liquids shall be adequately ventilated, and equipped with explosion proof lights.
- h. Clean up spills immediately.
- i. Gasoline, if stored indoors, shall be in quantities no greater than 25 gallons per room, unless kept in storage cabinets constructed to MOSHA specifications. If such cabinets are used, quantities up to 60 gallons may be stored in each cabinet. No more than three (3) cabinets may be located in a single storage area.

2. Compressed Gases

- a. Store and transport compressed gas cylinders in an upright position, and chain in place.
- b. Keep all gas cylinders capped when not in use.
- c. When a gas cylinder is leaking, evacuate the building or immediate area at once. Notify the supplier and the Emergency Center by calling 9-1-1.
- d. When not in use and not being transported, oxygen cylinders shall be stored at least 20 feet from acetylene cylinders, and from grease, oil paint and other flammable materials.
- e. Keep gas cylinders not in use away from welding areas to avoid sparks.

J. MOWING

1. Inspect all mowers before and after each use, making sure that mower guards or chains are in place and working properly.
2. When hand mowing, you will wear safety shoes, safety goggles/approved eye protection, and ear protection.
3. Take a well-balanced position before starting the mower.
4. Disengage the mower clutch before starting the mower.
5. Always refuel outdoors.
6. Always turn off the motor before refueling.
7. Always push, never pull hand mowers.
8. Always mow across the slope. Do not mow on a slope greater than 3 to 1.
9. Operate the mower at the slowest speed that will do the job effectively.
10. When traversing rough ground, reduce speed.
11. Never mow after dark.
12. Make sure there is a guard over the power takeoff at all times.
13. If you must make an adjustment, clear a jam or clean the blade, take the following steps before starting:
 - a. Turn off the motor.
 - b. Wait for the mower to stop.
 - c. Lock the starting switch or disconnect the spark plug wire.
14. When mowing near moving traffic, the mower should be equipped with flashing lights.
15. The blades of sickle-type mowers must be raised and locked in place when on the road or when the mower is stored.

K. EXCAVATION

1. All open excavations shall be protected by warning signs and barricades.
2. When excavations are more than four (4) feet in depth, the sides shall be supported by shoring and bracing, or sloped to the angle of repose.
3. Ladders shall be placed in all excavations in which employees are working. The ladders shall be located no more than 25 feet from the employees.

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4. No materials, soil, debris or equipment shall be stored within two (2) feet of an open excavation.
5. Do not drop or throw equipment, tools or material into an excavation in which employees are working. Carry or pass them down.
6. Check for moving traffic before leaving an excavation.

L. TRAFFIC CONTROL

Procedures for the control of traffic at construction and maintenance sites are set forth in the Manual of Uniform Traffic Control Devices and the Landscape Maintenance Work Safety Guidelines for Field Personnel. (Copies are available in the Department of Public Works.)

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APPENDIX B

**ST. MARY'S COUNTY
SAFETY AND HEALTH POLICY**

EMERGENCY EVACUATION PLAN

ST. MARY'S COUNTY EMERGENCY EVACUATION PLAN

INTRODUCTION

Emergency Evacuation Plans will be developed for all county buildings. This plan is intended as a guide for all St. Mary's County Employees in the event of a fire, bomb or hostage-related emergency and for building managers in developing their own plans. It also provides instruction and direction for those who will play a role in assuring that everyone in the building leaves in an orderly manner and in the quickest time possible. The preparation must include the building's layout, exits, fire extinguisher locations, fire alarm pulls, as well as the communication required for those individuals who are visiting the building. Provision has also been made for the handicapped so that they may receive the same assurance of safety as others in the building. The following describes the duties assigned to those who are responsible for carrying out evacuation plans. Members of the Employee Safety Committee will act as Coordinators during an evacuation. Alternates will be designated by the Employee Safety Committee.

EMPLOYEES:

Upon hearing a fire alarm, leave the building immediately. Walk, don't run. ALWAYS USE STAIRWELLS; DO NOT USE ELEVATORS! If there is a delay getting through the exit, do not shove. Wait your turn. Keep calm. DO NOT DELAY leaving the building. Forget valuables, save your life! Assist any handicapped person or visitor in the building. NEVER ASSUME AN ALARM IS A TEST!

EVACUATION COORDINATORS / ALTERNATES:

These positions will have the responsibility of making certain that all persons within their assigned area have evacuated the building. There should be at least one (1) Evacuation Coordinator per 20 persons. Each building may have one or more Evacuation Coordinators. In addition to the above, the Evacuation Coordinators will personally check each room to make certain that all persons have left and each door is closed after leaving. They will also assign at least two (2) persons to assist and escort handicapped persons out of the building and to the designated reporting area. After the assigned area has been evacuated, this information is communicated to the Crisis Manager.

EVACUATION FLOOR MANAGERS / ALTERNATES:

These positions will be responsible for the evacuation of all persons on their floor, if applicable. This is achieved by communicating with and receiving reports from the Evacuation Coordinators on the status of evacuation efforts until full evacuation is achieved from all offices on the floor. At this point, all persons on their floor will have been accounted for and relocated to the designated area outside the building. This information is then communicated to the Evacuation Crisis Manager.

EVACUATION CRISIS MANAGER / ALTERNATE:

This position will carry overall responsibility for assuring that the evacuation plan is carried out and that everyone vacates the building when emergencies arise. This is achieved by receiving reports from and communications with the Evacuation Coordinators on the status of evacuation efforts until full evacuation is accomplished. This position is also responsible for attending to communications with others outside the building who are significant in dealing with the emergency, e.g., the fire department, rescue squad and county officials.

BASIC FIRE EVACUATION PLAN:

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The following describes the general duties and procedures that are to be utilized by all organizations in the development of their Emergency fire Evacuation Plan.

1. In event of a fire, go immediately to the nearest fire alarm pull station and sound the alarm by pulling down on the lever. These fire alarm pull stations are located at or around high traffic areas, usually near an exit. Please look at your building's Emergency Evacuation floor plans for their specific locations.
2. The person discovering the fire then has someone advise the Crisis Manager of the circumstances, if they do not already know, who proceeds with informing all occupants in their assigned area to vacate the premises (which they should have already started to do when they hear the alarm), in accordance with the routes outlined on the floor plans. (Your office plan will outline the primary route for leaving the building and should be used in all instances except when circumstances prevent it such as the location of the fire/emergency. In that event, an alternate route will be determined at the time of the incident and will be based on the best route available.)

This person is also responsible for making an immediate call to 911.

3. The Evacuation Floor Managers and/or Evacuation Coordinators will assign two (2) staff members to assist each handicapped person out of the building. After leaving the building, staff and customers/clients are to report directly to the location that was designated for their office. Please see your individual office plans for the specific locations. They are to remain there until all persons are notified it is safe to enter the building by the Crisis Manager.

The Evacuation Coordinators must proceed with checking each room in their respective areas, making certain that all rooms, including bathrooms, interview rooms, supply rooms, etc., are vacated and that the doors are closed upon leaving.

4. The Evacuation Coordinators are to proceed to the outside reporting area for their office and account for all staff. Each office is to develop their own means of identifying and accounting for clients/customers visiting their area of the building. In larger departments, a staff listing may be appropriate. After accounting for everyone, the Evacuation Floor Managers/Coordinators are to report this information to the Crisis Manager.
5. The Evacuation Floor Managers and/or Evacuation Coordinators must keep the Crisis Manager informed of the circumstances relating to the emergency until all persons have been evacuated from the building.

BOMB THREAT:

1. In the event of a bomb threat by telephone, try to gain as much information as possible from the caller:
 - a. When is the bomb going to explode?
 - b. Where is it right now?
 - c. What does it look like?
 - d. What kind of bomb is it?
 - e. What will cause it to explode?
 - f. Did you place the bomb?
 - g. Why?
 - h. What is your address?
 - i. What is your name?
2. Try to derive the voice as much identifying information as possible:
 - a. Sex of caller.
 - b. Approximate age.
 - c. Race.
 - d. Voice inflection (angry, upset, soft, hard, loud, slurred, nasal, raspy, lisp, accent, etc.)

3. Try to identify any background sounds (street noises, music, animals, construction noises, PA system, etc.)
4. Was the caller's language well educated, foul, irrational, incoherent, taped, etc.?
5. Whatever you do, DO NOT HANG UP! Even if the caller does.
6. Report the bomb threat to the Crisis Manager. The decision on whether to evacuate or not will be made by the Building Manager, who will be speaking for their building only, and/or the President of the County Commissioners as the final authority. If the decision is made to evacuate, then report the bomb threat to the Evacuation Floor Manager, Evacuation Coordinator, or Alternate, who will make certain that communications are achieved with other Floor Managers or Evacuation Coordinators in the building. DO NOT MENTION it to anyone else at this time. We don't want to start a panic.
7. If the entire building is to be evacuated, it is achieved by WORD OF MOUTH. A decision that is made in conformity with the above.

HOSTAGE:

1. In the event of a hostage taking, the first person made aware of the situation is to immediately call 911. It is particularly important to provide as much information as possible, such as the area affected by the hostage taking, descriptions of hostage and hostage taker, as well as any demands or instruction given by the hostage taker.
2. It is necessary to take special precautions in these situations. The other occupants in the building, who are not under control of the hostage taker, are quietly alerted by word of mouth in the usual manner via the Evacuation Floor Manager or Evacuation Coordinator to leave the building. This must be done quietly and calmly. They will be instructed to a specific location in which they must go, based on the location of the hostage situation.
3. It is important not to take actions that will escalate the situation, such as activating fire alarms.
4. The building will not be reentered until an official clearance to do so is received from law enforcement officials.

CONCLUSION

In all cases (fire, bomb, or hostage), the building will not be entered until an official clearance to do so is received from someone in authority, i.e., the Fire Department, Fire Marshall, or Sheriff's Office spokesperson. This is communicated to the Crisis Manager, who will accordingly notify the respective Evacuation Floor Managers or Evacuation Coordinators of the decision.

In order to assess the efficiency of the Emergency Evacuation Plans and to gain a measure of how long it takes to evacuate a building, periodic drills will be undertaken at least bi-annually by every building. Some drills will be conducted based on a preexisting schedule, while others will be impromptu with no specific date established. These drills shall be initiated by the Building Managers, recorded and submitted as part of the annual Department Summarization Report to the Safety Committee. Before drills are done, NOTIFY THE DEPARTMENT OF EMERGENCY COMMUNICATIONS using the non-emergency number (301-475-4579). In addition, Emergency Evacuation Plans should be reviewed and updated annually by the Risk Manager.

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APPENDIX C

ST. MARY'S COUNTY
SAFETY AND HEALTH POLICY

**BLOODBORNE PATHOGENS
EXPOSURE CONTROL PLAN**

Initial Approval: April 6, 1993

BOOK 0017 PAGE 0132

ST. MARY'S COUNTY
**BLOODBORNE PATHOGENS
EXPOSURE CONTROL PLAN**

I. Purpose:

The purpose of this plan is to provide information and guidance to St. Mary's County Department Directors/Managers and employees for safeguarding themselves, as well as other individuals to the highest degree possible, from the bloodborne pathogens and other potentially infectious material.

II. Infectious Disease Precautions:

A. General:

1. County personnel come into contact with members of the public. At some point it is predictable that a County employee will come into contact with a person who has an infectious disease such as Acquired Immune Deficiency Syndrome (AIDS), hepatitis, or another infectious disease. All St. Mary's County employees shall utilize universal precautions to prevent contact with blood or other potentially infectious materials in the performance of job-related duties.

Universal precautions shall be interpreted to mean an approach to infection control by which all human blood and certain blood body fluids are treated as if known to be infectious.

2. Specifically, each department affected by this Plan as listed in Section III shall write a detailed specific Plan for their own employees as spelled out in 29CFR Part 1910.1030.

A copy of these Plans will be forwarded to the Risk Manager.

III. Exposure Determination:

A. Category I Occupational Exposure Level:

1. Category I Occupational Exposure Level employees are those routinely exposed to bloodborne pathogens or potentially infectious materials on a regular basis.
2. Job classifications within the following departments meet the criteria for a Category I Occupational Exposure Level:
 - a. Sheriff's Office/Corrections
 - b. Substance Abuse Screening Program
 - c. Nursing Center
 - d. Emergency Management

B. Category II Occupational Exposure Level:

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1. Category II Occupational Exposure Level employees are those exposed to bloodborne pathogens or potentially infectious materials under certain conditions and those seldom at injury scenes or involving individuals where blood and body fluid exposures are less likely to occur.
2. These employees do not normally confront front-line exposures, but could be called upon in an emergency situation.
3. Job Classifications within the following departments meet the criteria for a Category II Occupational Exposure Level:
 - a. Office on Aging
 - b. Recreation & Parks
 - c. Public Works & Transportation
 - d. Facilities Management

IV. Agency/Department Directors/Managers:

A. General:

St. Mary's County designates the Department/Agency Directors/Managers of all departments/agencies which employ Category I and/or Category II personnel to be Infectious Control Officers for their individual departments/agencies.

B. Responsibilities:

The infectious Control Officers have various responsibilities as outlined in 29CFR Part 1910.1030.

V. Plan Maintenance:

The St. Mary's County Bloodborne Pathogens Exposure Control Plan and individual Department Plans will be reviewed and updated on an annual basis by the St. Mary's Risk Manager and affected Department Directors/Managers unless a situation arises which requires modifications before such scheduled review.

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APPENDIX D

ST. MARY'S COUNTY
SAFETY AND HEALTH POLICY

**TUBERCULOSIS (TB) EXPOSURE
CONTROL PLAN**

TUBERCULOSIS EXPOSURE CONTROL PLAN

BOOK 0017 PAGE 0/35

I. PURPOSE

Transmission of tuberculosis (TB) is a recognized risk in any health care setting. Recent outbreaks of multi-drug resistant strains of mycobacterium tuberculosis has heightened concern about transmission to health care providers.

The St. Mary's County Tuberculosis Exposure Control Plan is to provide direction to those departments affected by the Center for Disease Control's (CDC) 1990 "Guidelines for Preventing the Transmission of Tuberculosis in Health Care Settings, with Special Focus on HIV Related Issues." This includes any adult daycare center, drug rehabilitation center and correctional facility.

II. INFECTIOUS DISEASE PRECAUTIONS

A. General:

Universal precautions must be followed when dealing with all individuals. Any individual showing symptoms of TB, as designated by the attached TB symptom checklist, should be considered as having TB, and employees should take necessary precautions.

B. Specific:

A detailed plan covering all aspects of TB exposure as spelled out in the CDC's, "Guidelines for Preventing the Transmission of Tuberculosis in Health Care Settings," will be written by departments specified in section III.

A copy of these plans will be forwarded to the Risk Manager.

III. EXPOSURE DETERMINATION

The following departments have been determined to be affected by these guidelines:

- A. Sheriff's Office and Corrections
- B. Office on Aging Day Care Centers
- C. Marcey House
- D. Substance Abuse Screening Program
- E. Nursing Center
- F. Facilities Management

IV. MEDICAL SURVEILLANCE

- A. A Medical Surveillance Program for employees will be part of the Departmental TB Control Plans. This must include an initial evaluation for TB (P.P.D. Skin Test), annual evaluations, and procedures for exposures to tuberculosis.
- B. Record Keeping: Each department will be responsible for maintaining records of the T.B. Screening Program. Results of screening tests will be filed in the employees' records.

V. AGENCY RESPONSIBILITIES/AUTHORITY

BOOK 0017 PAGE 0736

St. Mary's County designates the Department Directors/Managers of all departments named in Section III to be TB Control Officers.

The TB Control Officers have various responsibilities as outlined in the CDC Guidelines.

VI. PLAN MAINTENANCE

The St. Mary's County TB Exposure Control Plan and individual department plans will be reviewed and updated on an annual basis.

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APPENDIX E

ST. MARY'S COUNTY SAFETY AND HEALTH POLICY

FORMS

- Property/Equipment Breakdown
- General Liability Report
- Vehicle Accident Report
- Building Inspection Checklist
- Workers Compensation Call-In Form
- Fire Drill Form



PROPERTY/EQUIPMENT BREAKDOWN

BOOK 0017 PAGE 0138 REPORT EVERY CLAIM PROMPTLY
Endeavor to answer each question fully and expeditiously
IF THIS IS AN EMERGENCY, PLEASE TELEPHONE THE INFORMATION TO
THE CLAIMS HANDLING UNIT

Member Information	1. Entity Name _____ 2. Contact Name _____ Street Address _____ City/State _____ Zip _____ Department _____ Tel. # _____ 3. Check Claim Type: <input type="checkbox"/> Property <input type="checkbox"/> Boiler & Machinery 4. What control do you have of accident premises: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Contractor Does anyone else have any control or use of accident premises? _____ Yes/No If yes, who? _____
Loss Description	5. Date of Accident _____ Time of Accident _____ AM/PM 6. Street Location _____ City/State _____ Zip _____ 7. Type of Peril (Fire, Wind, Flood etc.) _____ 8. Where Reported (Police/Fire Dept) _____ Report Number _____ <i>(Attach Copy of Report)</i> 9. Description of Damaged Property _____ Model No. _____ Serial No. _____ Vehicle ID _____ Appraisal No. _____ 10. Describe Property Use _____ Rental Property (Yes/No) _____ If Yes, Provide Tenant's Name _____ <i>(Attach Copy of Lease Agreement)</i> 11. Description of Loss or Damage _____
Witnesses	12. Full Names and Addresses (Include those who inspected location immediately before or after accident as well as those who saw accident. Name _____ Work Phone _____ Address _____ Home Phone _____ Name _____ Work Phone _____ Address _____ Home Phone _____
Loss Investigation	13. Name of Party Responsible for Loss _____ Street Address _____ City/State _____ Zip _____ Home Phone _____ Work Phone _____ 14. Name of Party Negligent for Possible Subrogation _____ Street Address _____ City/State _____ Zip _____ Home Phone _____ Work Phone _____ 15. Other Insurance _____ Policy No. _____ <i>(Boiler/Machinery, Crime Policy, Property, General Liability, or Auto Liability?)</i> 16. Other Agreements (Warranties, Contracts, Leases, Indemnity, etc) _____ <i>(Attach Copy of Agreement)</i> 17. Remarks and Recommendations _____
For LGIT Office Use Only	Claim Status _____ Adjuster No. _____ Subrogation _____ Reinsurance _____ Structure Resrv _____ Contents Resrv _____ Loss of Use _____ Exp Resrv _____ Zone A (\$500,000 Deductible if not covered by NFIP) _____ Other Endorsements _____

IMPORTANT: REPORT MUST BE SIGNED BY THE MEMBER

Date of this report _____ 19 _____ Signed _____ Your Report # _____

If additional losses are involved, please list them on a separate sheet and attach to this report. () Check here for additional losses submitted.

COLUMBIA: (410) 312-0880

Local Government Insurance Trust
Claims Handling Unit
7172 Columbia Gateway Drive, Suite E
Columbia, MD 21046

MARYLAND: (800) 673-8231

BOOK 0017 PAGE 0739

GENERAL LIABILITY REPORT

REPORT EVERY ACCIDENT PROMPTLY

Endeavor to answer each question fully and expeditiously

IF PERSONAL INJURY IS INVOLVED, PLEASE TELEPHONE THE INFORMATION TO THE CLAIMS HANDLING UNIT



Member Information	1. Entity Name _____
	2. Contact Name _____ Street Address _____ City/State _____ Zip _____ Department _____ Tel. # _____
	3. Check Claim Type: <input type="checkbox"/> General Liability <input type="checkbox"/> Police Legal <input type="checkbox"/> Public Officials
	4. What control do you have of accident premises: <input type="checkbox"/> Owner <input type="checkbox"/> Tenant <input type="checkbox"/> Contractor Does anyone else have any control or use of accident premises? _____ Yes/No If yes, who? _____
Personal Injury	5. Name _____ Street Address _____ City/State _____ Zip _____ Work Phone _____ Home Phone _____
	6. Social Security No. _____ Date of Birth _____ Marital Status _____ Occupation _____ Employer _____
	7. Nature and Extent of Injuries _____ Name of Hospital _____ Name of Doctor _____ Taken by Ambulance? _____ Yes/No
	8. Why was Injured on Premises? _____
Property Damage	9. Name of Owner _____ Street Address _____ City/State _____ Zip _____ Work Phone _____ Home Phone _____
	10. Type of Property _____
	11. Extent of Damage _____
Accident Description	12. Date of Accident _____ Time of Accident _____ AM/PM
	13. Street Location _____ City/State _____ Zip _____
	14. Full Description and Cause of Accident _____ _____ _____
Witnesses	15. Full Names and Addresses (Include those who inspected location immediately before or after accident as well as those who saw accident.)
	Name _____ Work Phone _____
	Address _____ Home Phone _____
	Name _____ Work Phone _____
Accident Investigation	Address _____ Home Phone _____
	16. Statement as to Cause of Accident _____
	17. Complainant's Attitude _____
	18. State whether or not you think a Claim will be made _____
For LGIT Office Use Only	19. Remarks and Recommendations _____ _____ _____
	Claim Status _____ Adjuster No. _____ Suit Date _____ Jurisdiction _____
	LGIT Attny _____ Plaintiff Attny _____
	PD Resrv _____ BI or Loss Resrv _____ No Fault Resrv _____ Exp Resrv(Leg/Gen) _____
	Other Endorsements _____ Index Bodily Injury Claim? _____ Yes/No

IMPORTANT: REPORT MUST BE SIGNED BY THE MEMBER

Date of this report _____ 19 _____ Signed _____ Your Report # _____

If additional persons are involved, please list them on a separate sheet and attach to this report. () Check here for additional persons submitted.

COLUMBIA: (410) 312-0880

Local Government Insurance Trust
Claims Handling Unit
7172 Columbia Gateway Drive, Suite E
Columbia, MD 21046

MARYLAND: (800) 673-8231



BOOK 0017 PAGE 0740
VEHICLE ACCIDENT REPORT
 REPORT EVERY ACCIDENT PROMPTLY

Endeavor to answer each question fully and expeditiously
 IF PERSONAL INJURY IS INVOLVED, PLEASE TELEPHONE THE INFORMATION TO
 THE CLAIMS HANDLING UNIT

Member Information	1. Entity Name _____ Contact Name _____ Street Address _____ City _____ State _____ Zip _____ Department _____ Phone No. _____ 2. Driver Name _____ Is Driver Employed? _____ Home Address _____ Phone No. _____ 3. VEHICLE 1: Year, Make, Model _____ V.I.N. No. _____ Client Unit No. _____ Damage _____ Tag No. & State _____ Permission _____ Where Can Vehicle Be Seen _____
Personal Injury	4. Name of Injured Party _____ Street Address _____ City _____ State _____ Zip _____ Work Phone _____ Home Phone _____ 5. Social Security No. _____ Date of Birth _____ Marital Status _____ Occupation _____ Employer _____ 6. Nature and Extent of Injuries _____ Name of Hospital _____ Name of Doctor _____ Taken by Ambulance? _____ Why was Injured on Premises? _____
Property Damage	7. Name of Owner _____ Street Address _____ City _____ State _____ Zip _____ Work Phone _____ Home Phone _____ 8. Driver Name _____ Street Address _____ City _____ State _____ Zip _____ Work Phone _____ Home Phone _____ 9. VEHICLE 2: Year, Make, Model _____ V.I.N. No. _____ Tag No. & State _____ Damage _____ Name of Insurance Company _____ Policy No. _____ Address _____ Phone No. _____ 10. Where Can Vehicle Be Seen _____
Accident Description	11. Date of Accident _____ Time of Accident _____ AM/PM 12. Street Location _____ City _____ State _____ Zip _____ 13. Description of Accident _____ 14. Reported to Police? _____ Report Completed? _____ Report # _____ Name of Police Dept. _____ Citation Issued _____ To Whom _____
Witnesses	15. Name _____ Work Phone _____ Address _____ Home Phone _____ Name _____ Work Phone _____ Address _____ Home Phone _____
Accident Investigation	16. Statement as to Cause of Accident _____ 17. Complainant's Attitude _____ 18. State whether or not you think a Claim will be made _____ 19. Remarks and Recommendations _____
For LGIT Office Use Only	Claim Status _____ Adjuster No. _____ Suit Date _____ Jurisdiction _____ LGIT Attny _____ Plaintiff Attny _____ PD Reserve _____ BI Reserve _____ No Fault Reserve _____ Exp Reserve _____ Other Endorsements _____ Index Bodily Injury Claim _____ Yes/No

IMPORTANT: REPORT MUST BE SIGNED BY THE MEMBER

Date of this report _____ 19 _____ Signed _____ Your Report # _____

If additional vehicles are involved, please list them on a separate sheet and attach to this report. () Check here for additional vehicles submitted.

COLUMBIA: (410) 312-0880

Local Government Insurance Trust
 Claims Handling Unit
 7172 Columbia Gateway Drive, Suite E
 Columbia, MD 21046

MARYLAND: (800) 673-8231

Building Inspection	

BOOK 0017 PAGE 0741
SELF INSPECTION CHECKLIST

LOCATION:	
Inspected completed by:	Date:

	Yes	No	N/A		Yes	No	N/A
BUILDING EXTERIOR				FIRE EXTINGUISHERS			
Building address clearly marked				Proper type extinguishers provided			
Building accessible in an emergency				Extinguishers are readily accessible			
Fire hydrants accessible				Extinguishers inspected in last year			
Fire dept connection marked/accessible				ELECTRICAL			
Building appears to be in good repair				Electrical system operating properly			
Building free of vandalism				Electrical panels free of obstructions			
Exterior walls in good condition				Electrical panels kept locked			
Exterior windows in good condition				Boxes and panels free of combustibles			
Exterior doors in good condition				Electrical boxes and panels covered			
Roof in good condition				All circuit breakers/fuses clearly marked			
Chimneys/stacks in good condition				Extension cords properly used			
Walkways maintained				GFCI's on receptacles near water			
Parking lots maintained				FIRE ALARM/DETECTION SYSTEMS			
Combustibles stored away from bldg				Tested within the last month			
Vegetation cut back from the bldg				System free of trouble/alarm signals			
Trash stored away from building				AUTOMATIC SPRINKLER SYSTEMS			
Exterior lights operating properly				System tested within the last 3 months			
Fencing in good condition				All sprinkler supply valves open			
Gates in good condition				Sprinkler controls free of obstructions			
FIRE DOORS				18" clearance below sprinkler heads			
Fire doors are in working condition				Caps on outside fire dept connection			
Fire doors are kept closed				BUILDING EVACUATION FEATURES			
GENERAL HOUSEKEEPING				Exit doors clearly marked			
Building clean and well maintained				Travel routes clearly marked			
Storage areas neatly arranged				Exits doors in working condition			
Non-combustible trash containers				Exits doors accessible & unlocked			
Trash emptied daily				Emergency lights are working			
Stairs/halls clean & free of obstructions				Evacuation diagrams posted in all areas			
HEATING & AIR CONDITIONING				SPECIAL HAZARDS			
Heat and A/C operating properly				Is the building free from the following:			
Mechanical rooms kept locked				Flammable liquids storage			
Mechanical rooms free of storage				Compressed gas storage			
All vents clear of combustibles				Commercial type cooking			
Use of space heaters prohibited				Large computer facility			
SMOKING				Other hazardous chemicals/operations			
Workplace smoking ban enforced							

Please explain all "No" answers:

All "No" answers which can not be corrected immediately should be forwarded to a supervisor. Please comment on any "SPECIAL HAZARDS" noted during the inspection.

Worker's Compensation Call-In Form

Policy Number #2254213

Phone Number 1-888-410-1400

Location Number: 3264 **BOOK 0017 PAGE 0742**

Employee Social Security #		Date of Accident	
Employee Name		Address	
Home Phone		Work Phone	
Date of Birth		Marital Status <input type="checkbox"/> Married <input type="checkbox"/> Single	
Position Title		*EOD Date <input type="checkbox"/> Full-Time <input type="checkbox"/> Part-Time	
*Salary \$	<input type="checkbox"/> Year <input type="checkbox"/> Hour	Time of Accident	am/pm
Time shift began am/pm		Date Supervisor Notified	
Location at time of accident:			

How did injury occur?

Describe injury:

Did employee receive medical treatment? Yes No Hospital? Yes No Dr.'s Name & Phone Number

Was safety equipment provided? Yes No Was it being used properly? Yes No List safety equipment used (ie, goggles, gloves, etc.)

Witness 1 Name Phone #	Witness 2 Name Phone #	Witness 3 Name Phone #
------------------------------	------------------------------	------------------------------

Has the employee lost time from work? Yes No If yes, has employee returned to work? Yes No
***Is this a Valid Claim?** Yes No

Claim # _____ Completed by: _____

Date Called In: _____
Reported by: _____

*If you are unsure about the exact EOD Date, salary or the validity of this claim, please contact Human Resources for more information

Fax a copy to Risk Manager, attention Mary O'Brien - 301-475-8723

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ST. MARY'S COUNTY GOVERNMENT
P.O. BOX 653
LEONARDTOWN, MARYLAND 20650

FIRE DRILL REPORT

DATE: _____
NAME OF BUILDING: _____
DATE OF DRILL: _____
TIME OF DRILL: _____
EVACUATION TIME: _____

NOTIFICATION BY TELEPHONE TO THE DEPARTMENT OF EMERGENCY COMMUNICATIONS AT 301-475-8016 IS TO BE MADE BEFORE THE DRILL, NOT AFTER.

NAME OF PERSON NOTIFIED: _____

COMMENTS: _____

CRISIS MANAGER SIGNATURE: _____

Return completed form to:
RISK MANAGER
DEPARTMENT OF EMERGENCY COMMUNICATIONS.