

Board of County Commissioners of Calvert County
Calvert County Courthouse, Commissioners' Hearing Room

TUESDAY, September 15, 2009

Invocation – Reverend Richard Gardiner
Our Lady Star of the Sea, Solomons, MD
Pledge of Allegiance
Approve Agenda
Approve Minutes of August 25, 2009
Approve Minutes of September 1, 2009

AGENDA

I. PROCLAMATION/PRESENTATIONS **10:05 a.m.**

1. Retirement – Ricky Jones
2. 2008 Awards from United Way – Dianne Griner
3. Captain John Smith Water Trail

II. NEW BUSINESS **10:40 a.m.**

Department of General Services

1. Memo from Wilson Freeland, Director, 8/03/09
Re: Memorandum of Understanding with National Park Service

Department of Finance and Budget

2. Memo from Sharon Strand, Capital Projects Coordinator, 8/26/09
Re: Resolution to Forward Fund Water and Sewer Projects
3. Memo from Joyce Garza, Budget Analyst, 9/09/09
Re: Authorization Requested for Use of Local Asset Forfeiture Funding
4. Memo from Roberta L. Baker, Purchasing Officer, 9/09/09
Re: Award Recommendation – Purchase of Heavy Duty Diesel Engine
Truck with Roll-off Hoist

Department of Planning and Zoning

5. Memo from Gregory A. Bowen, Director, 8/31/09
Re: Proposed Low-Phosphate Residential Lawn Fertilizer Resolution
6. Memo from Veronica Cristo, Rural Planner, 8/31/09
Re: Certification of Development Options – APD #00-18: Barry Wynkoop
7. Memo from Veronica Cristo, Rural Planner, 8/31/09
Re: Certification of Development Options – APD #09-13: William & Lisa Miles
8. Memo from Veronica Cristo, Rural Planner, 8/31/09
Re: Certification of Development Options – APD #08-05:
Most Reverend Donald W. Wuerl, Archbishop of Washington, D.C.
c/o Reverend Peter J. Daly

III. COMMISSIONER REPORTS **11:30 a.m.**

- IV. PUBLIC COMMENT** **11:40 a.m.**
There is a time limit of 5 minutes per speaker. No additional minutes or allotting unused minutes to an additional speaker will be permitted.
- V. EXECUTIVE SESSION** **11:45 a.m.**
Closed to the public pursuant to Section 10-508 of the State Government Article of the Annotated Code of Maryland.
- VI. WORK SESSION** **1:15 p.m.**
Department of Planning and Zoning
Memo from Gregory Bowen, Director, 9/09/09
Re: Solomons Zoning Ordinance

Executive Session Agenda

- 1. Personnel Matter [10-508 (a)(1)(i)]**
The Board will meet with staff to discuss the Department of Finance and Budget goals for FY 2010.
- 2. Legal Matter [10-508 (a)(1)(i)]**
The Board will meet with the County Attorney and staff to discuss a legal matter.

*This agenda is subject to change and the times listed are approximate.
If any items are added for consideration, they will be included on a revised agenda that will be issued prior to the closed session.*



Board of County Commissioners
Summary of Actions
September 15, 2009

1. The Calvert County Fair Board presented the Commissioners with the Fair Book for the 123rd Calvert County Fair to be held September 30 – October 4, 2009.
2. Presented a proclamation to George "Ricky" Jones, recognizing his retirement from Calvert County Government after 31 years of service. Mr. Jones began work as a Correctional Officer and later worked in the Division of Highway Maintenance.
3. Recognized Dianne Griner for receiving the 2008 Campaign Volunteer of the Year award from the United Way of Calvert County, as well as the Calvert County Employees for receiving the 2008 Gold Award for contributing a total of \$8,839.
4. A presentation was given on the Captain John Smith Chesapeake National Historic Trail, established by Congress in December 2006 as America's first National Water Trail consisting of a series of water routes extending approximately 3,000 miles along the Chesapeake Bay and its tributaries in the states of Virginia, Maryland, Delaware, and the District of Columbia, that traces the 1607 – 1609 voyages of Captain John Smith to share the land and waterways of the Chesapeake Bay. (www.smithtrail.net)

5. Approved and authorized the President of the Board to sign the Memorandums of Understanding between the National Park Service and the Calvert Marine Museum, Battle Creek Cypress Swamp Sanctuary, Flag Ponds Nature Park, King's Landing Park, the Chesapeake Beach Railway Museum, and the Solomons Information Center, forming a partnership for the education/interpretation of Captain John Smith's historic voyages.
6. Approved the Resolution to forward fund the following water and sewer projects totaling \$4,665,845: Chesapeake Heights/Dares Beach - \$500,000; Industrial Park - \$733,333; Chesapeake Beach Waste Water Treatment Plant ENR/Reconstruction - \$1,832,512; and the East Prince Frederick Water Tower/Well - \$1,600,000. The Resolution indicates the Board's intent to reimburse the County for expenditures on these water and sewer projects to be funded by the State of Maryland's Drinking Water Revolving Loan Fund and Water Quality Loan Fund. Commissioner Kelley directed staff to provide the Board with a breakout of the total funding source for the Chesapeake Beach project and a description of all the projects.
7. Approved the request from the Sheriff's Office for expenditure of funds from the Asset Forfeiture Account in the amount of \$9,879 for the purchase of a forensic package. Commissioner Kelley directed staff to investigate if Ocean Systems is, in fact, the only vendor of this product.
8. Awarded the Purchase of a Heavy Duty Diesel Engine Truck with Roll-off Hoist contract to Central Truck Center, Inc. of Landover, Maryland, for the bid amount of \$120,540.
9. Approved and signed the Resolution which mandates the purchase of only low-phosphorous fertilizers for all County contracting and procurement offices, with the exception of remaining supplies, new lawns, and areas where phosphorous deficient soils are found. Commissioner Stinnett directed staff to make sure this information is disseminated to all Calvert County residents.
10. Approved the application for Certification of Development Options submitted by Barry Wykoop for his Agriculture Preservation District (APD) #00-18 located in Lusby, Maryland, allowing for 76 development options.
11. Approved the application for Certification of Development Options submitted by William R. Miles and Lisa A. Miles for their APD #09-13 located in Huntingtown, Maryland, allowing for 13 development options.
12. Approved the application for Certification of Development Options submitted by the Most Reverend Donald W. Wuerl, Archbishop of Washington, D.C., c/o Reverend Peter J. Daley for the APD #08-05 located in Prince Frederick, Maryland, allowing for 18 development options.
13. Held a work session regarding the Solomons Town Center Zoning Ordinance.
 - a. Removed the last sentence in Article 6, paragraph 6-3 I.
 - b. Please see attached for other actions taken.

RE: SOLOMONS TOWN CENTER ZONING ORDINANCE WORK SESSION

1. Planning Commission Resolution and Recommendations on the Solomons Town Center Zoning Ordinance (**Tab 1**) *Includes changes recommended by staff based on issues raised by citizens as well as changes suggested by the Planning Commission.*

Action Requested: Determine whether the changes recommended by staff and endorsed by the Planning Commission on the following issues should be incorporated in the adopted Zoning Ordinance (Tab 1A):

- A. Issue A: Non-conforming Uses
- B. Issue B: Uses permitted in the C5 Sub-area (Agricultural Preservation District)
- C. Issue C: Outdoor Patron Area associated with Eating Establishments in the B3 & B4 Sub-areas
- D. Issue D: Expansion of existing piers along the boardwalk in Sub-area C3
- E. Issue E: Screening requirements
- F. Issue F: Exemption from Appearance Code for roof styles of accessory structures
- G. Issue G: Sign regulations
- H. Issue H: Height bonus in the C1 Sub-area
- I. Issue I: Workforce Housing in the C1 Sub-area

ACTION TAKEN: Accepted Planning Commission's recommendations.

2. Summary of Public Hearing Comments & Staff Responses (**Tab 2**) *Summary includes issues raised by citizens for which no changes are recommended. Citizen comments are also attached.*

Action Requested: (a) Determine whether there are any other issues that should be addressed prior to adoption of the Zoning Ordinance; (b) Take action on the Solomons Town Center Zoning Ordinance.

ACTION TAKEN: Adopted the Solomons Town Center Zoning Ordinance with changes as discussed.

3. Proposed Solomons Town Center Zoning Map (**Tab 3**) *The Planning Commission voted unanimously to recommend approval of the Zoning Map as presented at the public hearing.*

Action Requested: Determine whether the Solomons Town Center Zoning Map should be adopted as proposed and as recommended by the Planning Commission.

ACTION TAKEN: Adopted the Solomons Town Center Zoning Map as recommended by the Planning Commission.

4. Proposed amendments to the Calvert County Zoning Ordinance (**Tab 4**). *Several amendments are proposed to the Calvert County Zoning Ordinance to make it consistent with the format of the Solomons Zoning Ordinance. The Planning Commission voted unanimously to recommend approval of the amendments to the Calvert County Zoning Ordinance as presented at the public hearing.*

Action Requested: Determine whether the amendments proposed to the Calvert County Zoning Ordinance should be adopted as proposed and as recommended by the Planning Commission.

ACTION TAKEN: Adopted the Calvert County Zoning Ordinance as recommended by the Planning Commission.

5. Grandfathering of pending development projects (**Tab 5**)

Action Requested: Determine whether pending development projects should be grandfathered, and if so, at what stage in the site plan/building permit process (i.e., conditional site plan approval, final site plan approval, or issuance of building permits).

ACTION TAKEN: Approved the grandfathering up to conditional site plan approval (Tables 1-5) with a time limit of five years.

6. Alternate proposed by the Planning Commission Administrator (**Tab 6**)

Action Requested: Determine whether to process as Zoning Ordinance amendment (i.e., distribute to the public and County and State agencies and schedule public hearing).

ACTION TAKEN: Directed staff to not address this agenda item and proceed to the next Town Center Ordinance.

