

BOARD OF COUNTY COMMISSIONERS' MEETINGTuesday, February 20, 1990

Present: Commissioner Carl M. Loffler, Jr., President
 Commissioner Robert Jarboe
 Commissioner W. Edward Bailey, Commissioner
 Commissioner John G. Lancaster
 Commissioner Rodney Thompson
 Edward V. Cox, County Administrator
 Judith A. Spalding, Recording Secretary

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, February 13, 1990. Motion carried.

APPROVAL OF BILLS

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve payment of the bills as presented. Motion carried.

PROCLAMATION
NATIONAL ENGINEERS WEEK

The Commissioners presented the referenced Proclamation designating the week of February 18 - 24, 1990 as National Engineers Week.

CEDAR COVE MARINA - PINEY POINT SEWER LINE

Present: Larry Petty, Director, Metropolitan Commission
 Steve King, Assistant Director, "

As a follow up to previous discussion, the County Administrator stated that last week he had presented correspondence addressed to the Metropolitan Commission summarizing the details regarding the request of Cedar Cove Marina to allow 66 boat slips (23 new and 43 existing). Questions were raised concerning the number of EDU's and the referenced Metropolitan Commission's representatives were requested to come before the Board to discuss the matter further.

Commissioner Jarboe indicated that the Commissioners were concerned with using the boat sales office as one of the EDU's because it does not have bathroom facilities and therefore does not have a failing system. The agreement with the State, County and Metropolitan Commission stipulates that connections to the system would be for failing systems, and the Commissioners do not want to jeopardize grant funds. Mr. King responded that in checking with the State official who helped in the preparation of the Agreement was of the opinion that service to the building would be acceptable as this is one of the "gray" areas that was not contemplated at the time the Agreement was executed. State officials had advised Mr. King that a similar precedent had been set in another area of the State.

Discussion ensued whether the owner of the facility would be required to pump out the waste from the boat holding tanks or allow to abandon sufficient number of buildings equivalent to the flow generated by the boat slips and pump the sewage into the sewer system.

There was further discussion on the disposal of the waste from the 43 original slips in that it was not addressed in the consent agreement between the State and Cedar Cove.

After discussion the Commissioners stated they would make a decision to sign the letter to the Metropolitan Commission allowing the allocation of eight EDU's to Cedar Cove after Mr. King provides them with information regarding the disposal of waste from the 43 original slips.

ST. MARY'S CITY - MARYLAND DAY CELEBRATION

Present: Burt Kummerow, St. Mary's City
Maggie Marlay, "
Karen Stamford, "
Cynthia Woodburn, St. Mary's County Tourism Committee

Mr. Kummerow advised that the Maryland Day Celebration at St. Mary's City has been designated by Governor Schaefer as the "Event of the Season." The State Office of Tourism Development has produced a poster that will be distributed throughout the State, and Mr. Kummerow presented each Commissioner with one. During discussion Mr. Kummerow explained the publicity and media coverage of the celebration.

As part of the Maryland Day Celebration, Ms. Woodburn announced that there will be a Black-Eyed Susan Dance on Saturday, March 24 at ADF North.

In closing the referenced individuals advised that invitations to all of the Maryland Day events will be sent to the Commissioners.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) PUBLIC HEARING
ABANDONMENT OF PORTION OF OLD ROUTE 249

The Commissioners conducted a public hearing on the abandonment as a public road a section of Old Route 249, in the vicinity of the entrance to the Piney Point Aquaculture Center, Second Election District. The abandoned portion is from its intersection with the entry off new route 249 to the barrier erected in the right-of-way for a distance of approximately 275 feet.

No comments were received from the audience.

The Commissioners closed the public hearing and Commissioner Loffler stated that the record will remain open for 10 days, and a decision will be made in two weeks.

2) ACCEPTANCE OF DEED
FOX MEADOW SUBDIVISION

Mr. Ichniowski presented a Deed dated July 14, 1988 by and between D. Maurice Dixon and the Board of County Commissioners of St. Mary's County accepting the following roads into the County Highway Maintenance System: Dixon Court, Piper Court, and Spitfire Court in Fox Meadow Subdivision, Eighth Election District.

Commissioner Thompson moved, seconded by Commissioner Bailey, to accept and authorize Commissioner Loffler to sign the Deed as presented. Motion carried.

3) ROAD RESOLUTIONS - FOX MEADOW SUBDIVISION

Mr. Ichniowski presented the following Road Resolutions for the Commissioners' consideration:

- ° R90-01 - Posting the streets in Fox Meadow Subdivision at 25 miles per hour.
- ° R90-02 - Designating the following streets as Stop Streets:
Dixon Court as it intersects with Hermanville Rd.
Piper Court as it intersects with Hermanville Rd.
Spitfire Court as it intersects with Hermanville Rd.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Road Resolutions as presented. Motion carried.

4) SHORE EROSION CONTROL AGREEMENT
JEFFERSON ISLAND CLUB, INC.

Mr. Ichniowski presented an Agreement by and between Jefferson Island Club, Inc. and the Board of St. Mary's County Commissioners for necessary revetments for shore erosion protection measures for property owned by Jefferson Island Club, Seventh Election District. Mr. Ichniowski advised that a Special Taxing District had been established and that the Club will reimburse the project construction cost (\$276,000) to the County in 25 annual installments of \$11,040 each.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Agreement as presented. Motion carried.

5) CORRESPONDENCE TO WILLIAM WHITTLE - FAA

Mr. Ichniowski presented correspondence for the Commissioners' signatures addressed to William Whittle expressing well wishes to him upon his retirement from the Federal Aviation Administration after 51 years of service. The Commissioners agreed to sign and forward the letter.

6) STATE OFFICE BUILDING - RELOCATION SCHEDULE

Mr. Ichniowski presented a schedule indicating when the various offices would be moving into the new state office building at the Governmental Center.

7) HIGHWAY CONCERNS

The Commissioners brought the following items of concern to Mr. Ichniowski's attention:

- ° Commissioner Loffler - That State Highway Administration be requested to look into the installation of left-hand turn signals in the Lexington Park area particularly at Millstone Landing Road.
- ° Commissioner Jarboe - That striping be done on areas of road where passing is allowed on the left (when cars make right hand turns)
- ° Commissioner Loffler - That he determine the status of the guardrail project. (Mr. Ichniowski stated that it was bid on last week and will be awarded this week.
- ° Commissioner Jarboe - That the State Police and Sheriff's Department be requested to enforce the "lights on vehicles at night law."

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) BUDGET AMENDMENTS

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance:

No. 90-39
Board of Education

Justification: Engineering costs for short-term reopening of Knox Elementary School and additional funds for Loveville Therapy Pool.

(Commissioner Loffler did not participate in this item, and Commissioner Thompson presided over the meeting).

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Thompson to sign the Budget Amendment as presented. Motion carried.

No. 90-40
Animal Control

Justification: To provide funds for roof repairs to the Tri-County Animal Shelter.

No. 90-41
County Administrator

Justification: To provide additional funds for Maryland Day "Event of the Season."

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign the budget amendments as presented. Motion carried.

2) TRI-COUNTY CORE SERVICE PROJECT

The County Administrator presented correspondence addressed to Dr. Marek, County Health Officer endorsing the concept of the Tri-County Core Service Project and supporting the service costs of the proposal.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign the letter as presented. Motion carried.

3) CORRESPONDENCE ABANDONED JUNK MOTOR VEHICLES

The County Administrator presented responses to Mr. Roger Mudron's and Ms. Evelyn Page's concerns regarding abandoned junk vehicles.

The Commissioners agreed to sign and forward the letter.

4) C & P TELEPHONE CONCRETE BUILDING

The County Administrator presented correspondence addressed to Kidde Consultants responding to a request for a easement near the St. Andrews Landfill for the construction of a small concrete building. The letter indicates that the County is inclined to respond favorably and suggests that they contact the Department of Public Works to work out the details.

The Commissioners agreed to sign and forward the letter.

5) STAFF DEVELOPMENT - WAIVER REQUEST

The County Administrator advised that employees are required to have worked with the County one year prior to receiving approval for training assistance. He stated that there are two training assistance requests for draftsmen, one from Planning and Zoning and one from Department of Public Works, whereby the individuals have not worked one year, and the supervisor is requesting a waiver of that requirement. Funds are in the budget.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve waiving the one-year employment requirement for the two individuals as requested. Motion carried.

6) METROPOLITAN COMMISSION
AIREDALE ROAD SEWERAGE PROJECT

The County Administrator presented background and scope of work information from the Metropolitan Commission relative to the Airedale Road Sewerage Project, and that a public meeting will be held March 15 at the Ridge Volunteer Fire Department to present for public review and comment alternative wastewater collection and treatment systems which could serve Airedale Road.

A copy of the information is on file in the Commissioners' Office.

CRITICAL AREAS - MARYLAND ROCK

Commissioner Jarboe presented the following information regarding the Critical Areas and the designation of the property on Map 48 owned by Maryland Rock:

- February 12, 1990 memorandum from Commissioner Jarboe to County Attorney Densford regarding receipt survey.
- February 12, 1990 memorandum from County Administrator Cox to County Attorney Densford and Chief of Permits and Inspections requesting written statements relative to information provided to Commissioner Jarboe.
- February 12, 1990 letter to Critical Area Commission Chairman North regarding designation of of Maryland Rock property on Map 48.
- February 13, 1990 memorandum from County Attorney Densford to Judith Spalding, Commissioners' Office requesting items from the Critical Area file.
- February 14, 1990 memorandum from Chief of Permits and Inspections Weber, to County Administrator Cox responding to February 12 memorandum
- February 15, 1990 memorandum from County Attorney Densford to County Administrator Cox responding to February 12 memorandum.
- February 15, 1990 letter from Critical Area Commission Chairman North to Commissioner Jarboe regarding mapping designation.
- February 15, 1990 letter from Commissioner Loffler to Commissioner Jarboe regarding Commissioner Loffler's requested information from County Attorney Densford and Chief, Permits and Inspection Weber.

After presenting the information, Commissioner Jarboe discussed the request by Commissioner Loffler for the information that had been provided to Commissioner Jarboe from County Attorney Densford and Chief of Permits and Inspections, Jim Weber.

Discussion ensued regarding the way Commissioner Loffler requested the information, the specific information that caused Commissioner Jarboe to change his vote on February 6, and how information should be channeled. After discussion Commissioner Jarboe requested the County Administrator to develop a policy regarding the Commissioners requesting information from department heads.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of personnel and property acquisition. Motion carried. The Sessions were held as follows:

Personnel

Held from 10:45 a.m. to 11:10 a.m.

Personnel

Also Present: Dr. William Marek, Deputy Health Officer
Tom Russell, Director, Environmental Hygiene

(The Session on Property Acquisition was held later in the meeting).

AGRICULTURE SYMPOSIUM

The Commissioners left to attend the Agricultural Symposium at ADF North sponsored by the Board of County Commissioners and the Agriculture Seafood Commission.

NOXIOUS WEEDS COMMITTEE
ANNUAL REPORT

Present: Mark Smith, Dept. of Agriculture
Vernon Saunders, Committee Member
Douglas Bowles, "

The referenced individuals appeared before the Commissioners to present the Noxious Weed Annual Report for 1989 explaining its purpose, functions and activities, and problems and challenges. A copy of the report is on file in the Commissioners' Office.

COMMUNITY SERVICES COORDINATION COMMITTEE
ANNUAL REPORT

Present: Cynthia Brown, Director, Office of Community Services

Ms. Brown appeared before the Commissioners to present the Community Services Coordination Committee Annual Report for 1989 and explained the purpose, accomplishments, membership, and specific activities and projects. A copy of the Report is on file in the Commissioners' Office.

EXECUTIVE SESSION
PROPERTY ACQUISITION

Present: Capt. Wright, Commander, NAS
Capt. Hadbauny, NAS
Richard Engle, Chesapeake Division, Naval Facilities
Debbie Moomey, "

The Session was held from 4:35 p.m. to 5:20 p.m.

(7:30 P.M.)

(Commissioner Thompson was not present.)

PUBLIC MEETING
MARINA ON-SITE SEWAGE DISPOSAL

Present: Jack Arney, Department of Natural Resources
Bess Crandall, "
Larry Petty, Director, Metropolitan Commission
Tom Russell, Director, Environmental Hygiene
Mary Pat Agostinelli, Administrative Officer
Marina Operators
Interested citizens

The Commissioners conducted a public meeting to discuss requirements for pump-out facilities at marinas on-site sewage disposal and state funding to assist in establishing an on-site system.

Mr. Russell presented pertinent facts and requirements concerning marina sanitary facilities.

Mr. Petty explained the disposal process of the waste from marinas.

Mr. Arney reviewed the grant application process and the terms and conditions.

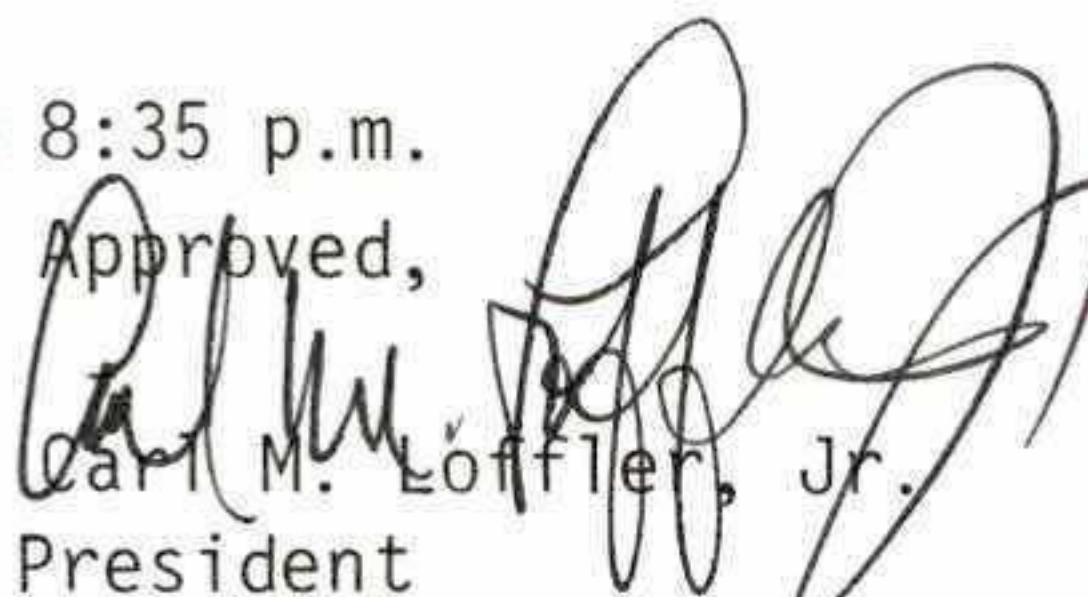
Questions and comments were received from the audience regarding the requirements.

A copy of the handouts are on file in the Commissioners' Office.

ADJOURNMENT

The meeting adjourned at 8:35 p.m.

Approved,


Carl M. Löffler, Jr.
President