

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, June 5, 1990

Present: Commissioner Carl M. Loffler, Jr., President
 Commissioner W. Edward Bailey
 Commissioner Robert T. Jarboe
 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, May 22, 1990. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) BOARD OF EDUCATION MEETING
PROPOSED AGENDA

The County Administrator presented a proposed agenda for the June 12 meeting with the Board of Education. Proposed items are as follows: Accelerated Capital Improvement Program, Joint Committee on Student Population, Office Building, and Extended School Year for Special Education.

2) CRITICAL AREA PROGRAM
GRANT APPLICATION

The County Administrator presented correspondence addressed to the Critical Area Commission requesting a continuation of the Critical Area Program for Fiscal Year 1991 in the amount of \$40,000.

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

3) FIRE DEPARTMENT/RESCUE SQUADS VOLUNTEERS
LENGTH OF SERVICE PROGRAM

The County Administrator presented a memorandum dated June 4 from the Personnel Office requesting the Commissioners to approve the listing of the approximately 500 fire department/rescue squad volunteers who qualified for service credit in 1989. After approval by the Commissioners the list will be posted for review at the appropriate departments for not less than 30 days.

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

4) CENSUS '90

The County Administrator presented correspondence addressed to the Postmasters in the County requesting continued assistance in tracking individuals and addresses to help ensure a complete count for the '90 Census.

The Commissioners agreed to sign and forward the letter.

5) PERSONNEL

The County Administrator presented the following personnel items for the Commissioners' consideration:

Department of Public Works
Motor Equipment Operator II

May 31 memorandum from Personnel Office requesting approval to appoint William A Bell and John B. Mast to fill the Motor Equipment Operator II positions, Grade 13, Step 2.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve the appointments as presented. Motion carried.

Office on Aging
Transportation Manager - Temporary Promotion Extension

June 14 memorandum from Personnel Office requesting approval to extend the temporary promotion of Frances A. Hammett, as Transportation Manager, until July 22, due to the illness of Farrar Lucas.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the extension as requested. Motion carried.

Department of Economic & Community Development
Conversion of Temporary Full Time Position to Permanent Full Time Position

June 4 memorandum from Personnel Office requesting approval of conversion of grant funded temporary full time receptionist, Grade 11, to grant-funded full time, Grade 11.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the conversion as requested. Motion carried.

6) MILEAGE RATE REIMBURSEMENT

The County Administrator presented a memorandum dated June 4 from the Personnel Office advising that the State has increased its reimbursement for travel from .23¢ to .24¢, effective July 1, 1990. Commissioners' approval is requested to change the county's current rate of .23¢ per mile to .24¢.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve the mileage rate change. Motion carried.

7) SOTTERLY MANSION
BUDGET REQUEST

The County Administrator presented a memorandum dated June 4 from the Director of Finance indicating that in January the Commissioners appropriated \$8,335 for the repair of the 18th century barn at Sotterly. Finding was to be released after a financial statement from Sotterly had been submitted. The statement has now been received and Director of Finance Wade recommended approval of release of funds.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve the release of funds as recommended. Motion carried.

8) FOURTH ANNUAL MARYLAND YOU ARE BEAUTIFUL PROGRAM

The County Administrator advised that the Governor has requested the Commissioners to appoint a representative from St. Mary's County for next year's Maryland You Are Beautiful Program. Mr. Cox recommended the appointment of Director of Community Services, Cynthia Brown, as St. Mary's representative and presented correspondence to the Governor so appointing Mrs. Brown.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to appoint Cynthia Brown as recommended and further to sign and forward correspondence to Governor Schaefer with this appointment. Motion carried.

CHANGING POINT
KNOW WHEN TO SAY NO

Present: Robert Hall, Community Liaison
Tom Weaver, Associate

The referenced representatives of Changing Point appeared before the Commissioners to announce the recent implementation of its "Know When to Stop" program. Mr. Hall stated that they will be distributing to "off-sale" liquor establishments posters, napkins, and stickers promoting responsible drinking in an effort to reduce the number of alcohol-related accidents in the County.

In closing Mr. Hall requested the Commissioners' support of this program through the issuance of a proclamation.

Therefore the Commissioners presented a Proclamation indicating support of the "Know When to Say No" Program sponsored by Changing Point.

COMMENDATION
GEORGE GUY

Present: George Guy, Guy Distributing
R. C. Johnson, Director, ARC

The Commissioners presented a Commendation to George Guy in recognition of his outstanding service to the community especially for organizing and coordinating the Annual Softball Tournament benefitting the Association for Retarded Citizens.

HOME HEALTH CARE SERVICES

Present: Susan Ptak, Children's Home Health Care
Margie Farver, "
Melanie Anson, "
Darlene Miller, HMSS
Richard McAlee, " (Attorney)
Elizabeth Smith, "
Carole Pinckney, Director of Nursing, St. Mary's Health Dept.
Karen Walton, Coordinator, Home Health Care
John Gladys, Pharmacist, Total Home Care/Nutra Care

As requested at last week's meeting, representatives of Children's Home Health Care Services and HMSS appeared before the Board to address comments and concerns raised by the Commissioners. Children's Home Health Care and HMSS have each applied for a Certificate of Need and the local governing body has been requested to comment.

Children's Home Health Care

Ms. Farver explained that Children's Home Health Care provides high-tech home health care services to children discharged from hospitals and also helps the families deal with the stress in caring for a seriously or terminally ill child. She stated that of the 243 discharged from Children's Hospital, 11% need home health care, and that the local health department can meet some of these needs. Because of cost containment pressures, children are being discharged much earlier and require more care. Ms. Farver indicated that the Children's Home Health Care would be serving a group of children that are being kept in the local hospital longer than needed because services are not available. Earlier release would reduce costs to the family and the trauma to the child. Children's Home Health Care would provide specially trained high-tech pediatric nurses who live in the community and would meet those needs not provided by the local home health care services.

In response to an inquiry from Commissioner Loffler Ms. Farver advised that Children's would provide services to those who cannot afford care.

HMSS

Mr. McAlee advised the Commissioners that HMSS has branches throughout the United States and specializes in home intravenous care and provides pharmaceutical service. He stated that HMSS would not be competing with the local home health care services, but would support them in these areas. He further pointed out that HMSS would allow 4% of care to those who could not pay. HMSS is not currently located in St. Mary's County, but is looking towards setting up a branch here.

In conclusion the Commissioners agreed to make a decision at next week's meeting with regard to the Certificate of Need applications.

(Commissioner Loffler left the meeting at 10:35 a.m.)

St. Mary's Health Department

Mrs. Walton pointed out that the statistics for children needing home health care would be more accurately stated at approximately 2%-4%. She expressed concern that Children's Home Health Care and HMSS would be drawing on employees of the Health Department, St. Mary's Hospital, Nursing Enterprises and others that are already stressed to the maximum as far as staffing is concerned.

Mrs. Pinckney expressed concern that nurses for these groups and equipment would be coming from out of the county and accessibility could be a potential problem.

Mr. Gladys stated that his company has been providing intravenous care in the tri-county area, and the company was started because of the lack of this service in this area. He stated that his company takes care of all those who need the service regardless of ability to pay. He further pointed out that his company has a good working relationship with the health department and other nursing services in the area.

The Commissioners thanked those present and indicated this will be a matter of discussion at next week's meeting.

OFFICE OF PLANNING AND ZONING
STSP #86-1043 - LOFFLER INDUSTRIAL II

Present: Jon Grimm, Director, OPZ
Mark Kanowicz, Loffler Construction
Peggy Childs, Recording Secretary

INDUSTRIAL SITE PLAN DECISION

STSP #86-1053 - LOFFLER INDUSTRIAL TWO

Requesting approval of change to previously approved site plan from 1750 sq. ft. warehouse / 7000 sq. ft. storage to 1750 sq. ft. office / 7000 sq. ft. warehouse on a total of 1.38 acres, zoned I-1, located on Airport View Drive in St. Mary's Industrial Park; Lot 2, Section 2; Tax Map 34, Block 1, Parcel 550.

Owner/Applicant: Loffler Industrial One Partnership
Also Present: Mark Kanowicz for Loffler Construction

Mr. Grimm reminded that this request was carried over from last Tuesday's meeting at Commissioner Jarboe's request, and stated he had Health Department approval in-hand, dated May 16, 1990, which was not in the file at the last meeting. In addition, the sewage easement is shown on the plat and is in place, as is the approval for sewage disposal of the office space, including restroom approval.

Commissioner Bailey asked if the plan was originally processed with the gravel parking lot; Mr. Grimm replied it was and added that gravel parking lots are not unusual, as there are sometime drainage benefits.

Commissioner Bailey moved for approval of the industrial site plan, seconded by Commissioner Lancaster.

Commissioner Jarboe asked if a waiver was required for the gravel parking lot for office space; Mr. Grimm said that is a requirement now but he believes this plan was approved prior to initiation of that requirement.

The motion was passed by a unanimous vote.

TRAFFIC SAFETY

Present: Ed Meehan, District Engineer, SHA
Fred Lees, Traffic Engineer, SHA
Dan Ichniowski, Director, Public Works
Sheriff Pettit
Lt. Alan Potts, Maryland State Police

Mr. Ichniowski opened the meeting stating that the Commissioners had written correspondence to Mr. Meehan regarding the traffic safety conditions at Md. Rt. 235 and MacArthur Boulevard. Responses were received from SHA addressing these concerns. It was agreed that a meeting would be held to discuss concerns regarding other intersections.

Commissioner Bailey expressed concern regarding Md. Rt. 5 in the area of the Leonardtown school complex. Mr. Meehan responded that the area is being evaluated and a traffic control signal will probably be placed at the intersection of Md. Rt. 244 along with a provision of a left turn bay off of Rt. 5.

Sheriff Pettit pointed out that according to statistics released by Maryland Accident Reporting, the following are the four highest accident areas: Md. 235 and 245, Md. 237 and 246, Md. 5 and 236. The two major causes of accident are failure to yield right of way and speed.

Sheriff Pettit and Lt. Potts indicated that there is a lack of staffing to apply the type of enforcement needed to try to reduce accidents. Lt. Potts stated that need for manpower will be addressed in August by the Superintendent of Maryland State Police. Sheriff Pettit recommended that the Commissioners write a letter to the Governor with copies to the Secretary of Public Safety and Corrections and Superintendent of Maryland State Police requesting more troopers in the County.

During discussion Commissioner Lancaster mentioned that there have been a number of accidents in front of his residence near Lord Calvert Motel

In closing Mr. Meehan advised the Commissioners that his staff meets with the Department of Public Works three or four times a year and will continue to do so in the future.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) ADDENDUM TO PUBLIC WORKS AGREEMENT
WILDEWOOD - HICKORY NUT

Mr. Ichniowski presented an Addendum to the Public Works Agreement between Paragon Builders, Inc. and St. Mary's County extending the deadline for completion of Hickory Nut Drive in Wildewood, Hickory Nut, VII to July 1, 1990. The Addendum is backed by a letter of credit with Maryland Bank & Trust Co. in the amount of \$40,000.

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

2) BIG OAK SUBDIVISION
ACCEPTANCE OF DEED
ROAD RESOLUTIONS

Mr. Ichniowski presented the following documents relative to Big Oak Subdivision for the Commissioners' review and consideration:

- Deed dated September 9, 1989 between William S. Lawrence and Ann F. Lawrence and the County Commissioners of St. Mary's County accepting Four Seasons West and Four Seasons East into the County Highway Maintenance System.
- R90-15 - designating the following streets as Stop Streets:
Four Seasons Court as it intersects with Md. Rt. 6;
Four Seasons Drive West as it intersects with Four Seasons Court;
Four Seasons Drive East as it intersects with Md. Rt. 6.
- R90-16 - posting the following streets at 25 miles per hour:
Four Seasons Drive West
Four Seasons Drive East
Four Seasons Court.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced Deed and Road Resolutions. Motion carried.

WATERWAY IMPROVEMENT GRANT APPLICATIONS
WICOMICO WATERFRONT

Present: John Baggett, Director, Recreation and Parks

Mr. Baggett presented the following grant applications for improvements at Wicomico Waterfront:

- Refurbishing of pier - providing water, electricity and general upgrading; refurbishing of shelter building and lavatory to serve pier and boaters; provision of security trailer and hookup. Grant is in the amount of \$45,000 to be matched by the County (golf course revenues).
- Boat launching ramp and parking lot. Grant is in the amount of \$25,000 (no match needed).

Mr. Baggett explained that the grants had previously been approved; however, the State has requested that the projects be separated out, hence, the two applications.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the grant applications as presented. Motion carried.

EXECUTIVE SESSION
PROPERTY ACQUISITION

Present: Edward V. Cox, County Administrator
John Baggett, Director, Recreation and Parks

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss matters of property acquisition/disposition. Motion carried. Sessions were as follows:

Property Disposition

Session held from 11:45 a.m. to 12:05 p.m.

(Commissioner Loffler returned to the meeting at 11:50 a.m.)

Property Acquisition

Also Present: Michael Humphries, Director, St. Clements Museum
Fred Wallace, Friends of the Museum
Tom Gardiner, "

Session held from 12:05 p.m. to 12:20 p.m.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting held at the Garvey Senior Center.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss matters of Personnel. Motion carried. Sessions were as follows:

Personnel

Also Present: John Baggett, Director, Recreation and Parks

Held from 2:35 p.m. to 3:05 p.m.

Personnel

Also Present: Joseph Mitchell, Dir., Economic & Community Dev.

Held from 3:05 p.m. to 3:40 p.m.

Personnel

Held from 3:40 p.m. to 4:00 p.m.

Personnel

Also Present: James Haley, Procurement Officer

Held from 4:00 p.m. to 4:10 p.m.

- 7:00 P.M. -

PUBLIC HEARING
SEWAGE SLUDGE COMPOST

Present: Tom Russell, Director, Environmental Health
Dan Schwalm, PRSM, Sales Representative
Bradford Reeves, Chairman, Agriculture Commission

The Commissioners conducted a public hearing on the transportation and utilization of sewage sludge compost in St. Mary's County. Health Article 43, Section 394A of the Maryland Annotated Code requires a public hearing on the entrenching, storage, or transportation of certain sludge in St. Mary's County.

The secretary read the notice of public hearing.

Mr. Russell pointed out that the Commissioners were not required to conduct a hearing; however, they agreed to conduct this hearing so that the citizens could be made fully aware of the differences between sewage sludge compost and sewage sludge. He further pointed out that the Commissioners had had two informational meetings at which time they were informed by officials from the University of Maryland, Department of Environment, and State Department of Environmental Health that sewage sludge and compost were two different materials. He explained that the processing for compost makes it safe for use and further explained the differences between sludge and compost. He stated that sludge is untreated and compost is processed for use similar to mulch.

Mr. Reeves explained that the Agriculture Commission had been requested to investigate the use of compost and learned that it does not represent the hazard that sludge would.

The Commissioners accepted questions and comments from the audience as follows:

Janet Knox questioned the heavy metal content and how would a person know whether they had been removed. Mr. Russell responded that heavy metals were not a component of sludge.

Robert Ernschaw expressed concern regarding the heating and safety of the compost.

Commissioner Loffler, referring to a product warning sheet, stated that it indicated that the product was not for commercial use or for anything in the food chain. He further expressed concern about large amounts of compost being brought into the County in truckloads rather than bagged with appropriate labeling.

Mr. Schwalm explained the processing of his compost product, Tree Life and described its uses. He stated that it had to meet certain criteria of the State, which this product has met. It is generally used by nurseries and greenhouse industry for diluting soil mixes. It is not economical for farm land use.

Phil Dorsey referred to the legislation not allowing the transportation and utilization of sludge in the County and questioned the safety of compost.

Paul Chesser stated that the use of compost was the best example of effective recycling.

Pat O'Donnell expressed concern about proper monitoring of compost and requested the Commissioners to exercise caution in approving this.

Minnie Russell expressed concern about runoff of the compost into the county's waterways.

Viki Volk inquired as to the process facility that turns the Blue Plains sludge into compost.

Oran Wilkerson raised the question as to what happened to the sludge at Pine Hill Run Sewage Treatment Plant. Mr. Russell responded that some is used for land application.

Dan Donnelly stated that the compost should be mixed with top soil which would minimize runoff.

REGIONAL TOURISM COMMITTEE

The County Administrator advised that he received a telephone call from the Calvert County Administrator indicating that Department of Economic & Employment Development Secretary Evans has requested a letter from the President of the three Boards of Commissioners regarding the joint agreement to place Southern Maryland Regional Tourism under the direction of the Boards of County Commissioners, with Calvert County as the Grant Administrator.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Commissioner President Loffler to sign the correspondence as recommended. Commissioner Jarboe opposed the motion, and Commissioner Bailey abstained. Motion carried three to one to one.

The meeting adjourned at 8:40 P.M.

PUBLIC FORUM

The Commissioners conducted the monthly public forum accepting questions and comments from the audience as follows:

Phil Dorsey: Questioned whether the county had hired someone to review the files on Maryland Rock in order to get a chronological summary of its permits.

County Administrator Cox advised that a physical survey is being done by a local firm hired by the Office of Planning and Zoning. The County is looking for an outside investigator to go through the files and reconstruct the case for presentation to the Board of Appeals.

Mr. Dorsey inquired whether permits had been issued to Maryland Rock for replacement of conveyor belt and whether permission was granted for them to fill and grade within in ten feet of the mean high water mark.

Regina Abell: Requested response to letter from Director, Office on Aging regarding fees charged for Office on Aging events.

Commissioner Loffler suggested that since this is a policy decision, the matter should be given to the Commission on Aging.

Leonard Wathen: Reiterated concerns regarding the detention center and grievance with the Sheriff relative to conditions at the detention center.

Pat O'Donnell : Congratulated Commissioners on recycling efforts, and expressed concern with what happens to recyclable material at St. Andrews since Recycling Plant in Leonardtown has closed; concerned about trash being brought in from out of the County; suggested that the committee look into this.

Oran Wilkerson: Status of Release of Lien and Deeds for Boatel California; Town Creek Marina pollution; whether there was an illegal building at the Airport.


Dick Myers: Inquired whether any punitive action against Town Creek Marina for polluting the creek.

Viki Volk: Town Creek Marina pollution and questioned Health Department's authority to correct problem. Mr. Cox will get a report on this.

Minnie Russell: Airedale Road sewer line; rumor that Metropolitan Commission is putting in a lagoon on Ridge Elementary School property; Marinas at Smith Creek - one is expanding; other has made application to Army Corps of Engineers (Barrett Marina - 94 slips). Mr. Cox will look into this.

The public forum concluded at 9:40 p.m.

APPROVED


Carl M. Loffler, Jr.
President