

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 28, 1990

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, August 21, 1990. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) **APPOINTMENT**
ECONOMIC DEVELOPMENT COMMISSION

Commissioner Bailey moved, seconded by Commissioner Jarboe, to appoint Joseph Slater to the Economic Development Commissioner for a term to expire June 30, 1993. Motion carried.

2) **LINOWES COMMISSION**

The County Administrator advised that the Linowes Commission on State Taxes and Tax Structure requested comments from St. Mary's County regarding revenues and disparities in school financing. He stated that staff has prepared comments for the Commissioners' review and signatures which emphasizes the inequality of services caused by levels of wealth, especially inequality of educational services. A second point of emphasis is the need for the state to determine funding when mandating a program.

Commissioner Bailey moved, seconded by Commissioner Lancaster to sign and forward the letter. Motion carried.

3) **RESOLUTION NO. W/S NO.**
WATER/SEWER AMENDMENT PLAN
HAYDEN'S RUNN CLUSTER SUBDIVISION
(CSUB 389-1877)

Application to amend the St. Mary's County Comprehensive Water and Sewer Plan for property located in the 4th Election District, located on Chaptico-Mechanicsville Road, south of Beverly Estates on Tax Map 12, Block 23, Parcel 30, known as Hayden's Runn Cluster Subdivision, from W-6 to W-3D.

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The Commissioners having conducted a public hearing on July 17, the County Administrator presented the referenced Resolution approving the Comprehensive Water and Sewer Plan Amendment from W-6 to W-3D.

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

4) CABLE TELEVISION ORDINANCE

The County Administrator advised that the public hearing on the Cable Television Ordinance was held August 21 and comments have been received from Simmons and Jones Cable Companies. He recommended that the Commissioners delay discussion until September 18 in order to allow the Cable Television Study Committee to review the comments and make recommendations to the Board.

The Commissioners gave their concurrence.

5) PERSONNEL

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

- Office on Aging
Pay for Part-Time Registered Nurses

Memorandum dated August 27, 1990 from Personnel Officer requesting approval to change the hourly rate of pay for part-time registered nurses from \$11.49 to \$12.87, the same as the full time nurse manager.

- Finance Department
Fiscal Clerk II

Memorandum dated August 27, 1990 from Personnel Officer requesting approval to change the Fiscal Clerk II, Grade 13 position in the Data Processing Office to a Data Systems/Fiscal Specialist, Grade 13, position

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

5) BUDGET AMENDMENT NO. 91-04
PUBLIC WORKS

The County Administrator presented Budget Amendment No. 91-04 recommended for approval by the Director of Finance with the following justification: To provide funds for installation and maintenance of King Kennedy security lights.

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

OFFICE OF COMMUNITY SERVICES
COMMUNITY SERVICE DAY

Present: Cynthia Brown, Director, OSC
Becky Stevens, Community Services Coordinator

The referenced individuals appeared before the Commissioners to present an Information Release announcing the second annual Community Service Day, which will be held October 13. Community Service Day,

sponsored by state and county governments, is a day set aside for groups and individuals to give back to the community volunteer time. Community project applications are currently being solicited by the Office of Community Services.

PROCLAMATION

DISABLED AMERICAN VETERANS FORGET-ME-NOT MONTH

The Commissioners presented the referenced Proclamation designating September as Forget-Me-Not Month in St. Mary's County.

CANCELLATION OF TOUR BOAT

ST. CLEMENTS ISLAND

Present: John Baggett, Director, Recreation and Parks
Michael Humphries, Director, St. Clements Museum
Cindy Woodburn, Tourism Coordinator
Fred Wallace, St. Clements Museum Board

The referenced individuals appeared before the Commissioners to advise the Board of the state's cancellation of the tour boat to St. Clements Island Potomac River Museum. Mr. Humphries stated that the Department of Natural Resources informed the County that funds are no longer available to subsidize the tour boat, which ran on Friday through Sunday. He pointed out that the Museum will be keeping it running on Sundays.

Because of its historical significance of the island, the Commissioners indicated that it was important to keep the boat running. The island is owned by the U. S. Government and is leased to the Department of Natural Resources.

In conclusion, the Commissioners agreed to work with Recreation and Parks and the Museum Board on this issue and suggested that Mr. Baggett look into the possibility of having the Department of Economic and Community Development lease the island from the U. S. Government rather than the Department of Natural Resources.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) CORRESPONDENCE CALLING LETTERS OF CREDIT

Mr. Ichniowski presented the following correspondence calling letters of credit:

Essex South, Section 4A & 3
Grading Permit #88-05
Letter of Credit #349 with Maryland Bank & Trust in
the amount of \$33,000

St. George Hundred
Public Works Agreement
Letter of Credit #347 with Maryland Bank & Trust in
the amount of \$32,000

Mulberry South, SWM
Grading Permit #86-32
Letter of Credit No. A1-10-1-1987 with First National
Bank of St. Mary's in the amount of \$14,500

Cedar Cove Subdivision, Section IV
Public Works Agreement
Letter of Credit #350 with Maryland Bank & Trust in
the amount of \$511,400

Cedar Cove, Section IV
Grading Permit #90-01
Letter of Credit #351 with Maryland Bank & Trust in
the amount of \$236,200.

Maydel Manor Subdivision
Public Works Agreement
Letter of Credit No. A1-6-24-88 with First National Bank
of St. Mary's in the amount of \$45,000.

Hollywood Plaza Shopping Center
Grading Permit #88-33
Letter of Credit #A1-11-8-1988 with First National Bank
of St. Mary's in the amount of \$11,250.

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the referenced correspondence calling the Letters of Credit, if necessary. Motion carried.

2) ADDENDA TO PUBLIC WORKS AGREEMENT

Mr. Ichniowski presented the following Addenda to Public Works Agreements:

Country Lakes

By and between Benjamin H. Burroughs, Jr. and St. Mary's County Commissioners extending the deadline for completion of roads in Country Lakes, Section V, Fourth Election District, to September 1, 1991. The Addendum is backed by a Letter of Credit in a reduced amount of \$175,000.

Chestnut Ridge

By and between Delmarva Properties, Inc. and St. Mary's County Commissioners extending the deadline for completion of roads in Chestnut Ridge, Section 1, Third Election District to September 1, 1991. The Addendum is backed by a Letter of Credit in the reduced amount of \$88,000.

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

3) PUBLIC WORKS AGREEMENT
ESPERANZA FARMS, SECTION 12

Mr. Ichniowski presented the referenced Public Works Agreement by and between Esperanza Farms Development Company and St. Mary's County Commissioners guaranteeing completion of Bob's Court and Kristi Lynn Court in Esperanza Farms, Section 12, by December 1, 1990. The Agreement is backed by a Letter of Credit with First National Bank of St. Mary's County in the amount of \$25,000.

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

4) ACCEPTANCE OF DEED
ROAD RESOLUTIONS

Mr. Ichniowski presented a Deed dated July 31, 1988 by and between Jay Laurence Millison and the Board of County Commissioners accepting Poteat Court South, Mellancamp Court, McArthur Boulevard, Pow Wow Place,

Nolte Court, Springsteen Court North, Springsteen Court South, and Poteat Court North into the County Highway Maintenance System.

Mr. Ichniowski also presented the following Road Resolutions:

R90-23 - Posting the follow streets at 25 miles per hour.

McArthur Boulevard, Pow Wow Place, Mellancamp Court, Nolte Court, Poteat Court North, Poteat Court South, Springsteen Court North, Springsteen Court South.

R90-24 - Designating the following streets as Stop Streets:

Nolte Court at its intersection with McArthur Blvd
Poteat Court at its intersection with McArthur Blvd.
Springsteen Court North at its intersection with
McArthur Blvd.
Pow Wow Place at its intersection with Nolte Court
Poteat Court South at its intersection with
McArthur Blvd.
Springsteen Court South at its intersection with
McArthur Blvd.
Mellencamp Court at its intersection with Springsteen
Court South.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to accept the referenced Deed and Road Resolutions. Motion carried.

5) ACCEPTANCE OF DEED
ALVEY SUBDIVISION

Mr. Ichniowski presented a Deed dated July 23, 1990 by and between Carroll R. Morgan and Madeline W. Morgan accepting the 50 ft. right-of-way serving Lots One and four of Alvey Subdivision fronting on Queentree Road into the County Highway Maintenance System.

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

6) ISLAND CREEK NAVIGATION PROJECT
LOCAL COOPERATION AGREEMENT

Mr. Ichniowski advised that correspondence was received from the Army Corps of Engineers advised that there is new guidance regarding the the draft Local Cooperation Agreement for the Island Creek Navigation project. The new guidance requires a Certification Regarding Lobbying.

Therefore, Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Certification Regarding Lobbying. Motion carried.

7) SPECIAL EVENTS PERMIT

Mr. Ichniowski presented a proposed Special Event Permit so that events can be coordinate with appropriate agencies through the Department of Public Works. He stated that the form would help clarify responsibilities of the agencies.

The Commissioners expressed concern regarding large events and the Commissioners' role in coordinating them.

After discussion the Commissioners requested the County Administrator to work with Mr. Ichniowski on this form and to assist in preparing a Resolution for the Commissioners' review and consideration.

8) ACCESS CONTROL STUDY

Also present: Jon Grimm, Director, Planning & Zoning

Mr. Ichniowski presented correspondence for the Commissioners' review and signatures requesting State Highway Administration to conduct an Access Control Study on Maryland Route 5 and Maryland Route 235. The purpose of the study would be to help preserve the capacity of the County's main transportation routes.

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

9) APPLICATION FOR ELECTRICAL SERVICE
ST. ANDREWS LANDFILL

Mr. Ichniowski presented Southern Maryland Electric Cooperative, Inc.'s Application for Additional Electric Service for lighting at St. Andrews Landfill.

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

OFFICE OF PLANNING AND ZONING
ZPUD #89-1916 - HUNTING QUARTER, PHASE II

Present: Jon Grimm, Director

As a follow up to last week's discussion Mr. Grimm advised that he had contacted the applicant for the referenced rezoning application requesting the revised conceptual development plan. He stated that he has not received the plan and suggested that the Commissioners defer any action on the application until it is received.

The Commissioners gave their concurrence.

PERMIT PROCESS

Present: Jon Grimm, Director Planning and Zoning
Joe Meinart, Deputy Director, OPZ
Representatives from appropriate agencies
Developers/Builders

Mr. Grimm reviewed the current review and permits process and distributed a handout setting forth efforts of the Planning and Zoning Office to improve the process as well as goals and objectives.

After Mr. Grimm's presentation, members of the audience raised questions regarding the process.

A tape of the proceedings is on file in the Commissioners' Office.

7:00 P.M.

FIRST ELECTION DISTRICT SEWAGE DISPOSAL DISCUSSION

Present: J. L. Hern, Md. Dept. of Environment
Duane Wilding, Dept. of Natural Resources (MES)
Senator Bernie Fowler
Delegate Slade
Vivian Marsh, Dept. of State Planning
Larry Petty, Director, Planning and Zoning
Steve King, Metropolitan Commission
Dr. William Marek, Health Officer
Tom Russell, Director, Environmental Hygiene

The Commissioners participated in the referenced meeting to discuss issues relative to sewage disposal in the First Election District. Issues discussed were: Regional approach vs. Airedele Road approach, Point Lookout Sewage Treatment Facility, Funding availability and condition.

Commissioner Loffler, Dr. Marek and Mr. Petty each spoke of the health problem created by inadequate sewage disposal facilities in the First District and were of the opinion that a regional approach should be taken.

Mr. Hern stated that grant funds were only available to solve the Airedele Road sewage disposal problem and to expand the project for the entire area was not an available option through the grant program. He stated, however, that this would not preclude the County from proceeding at a later date in handling the regional problem.

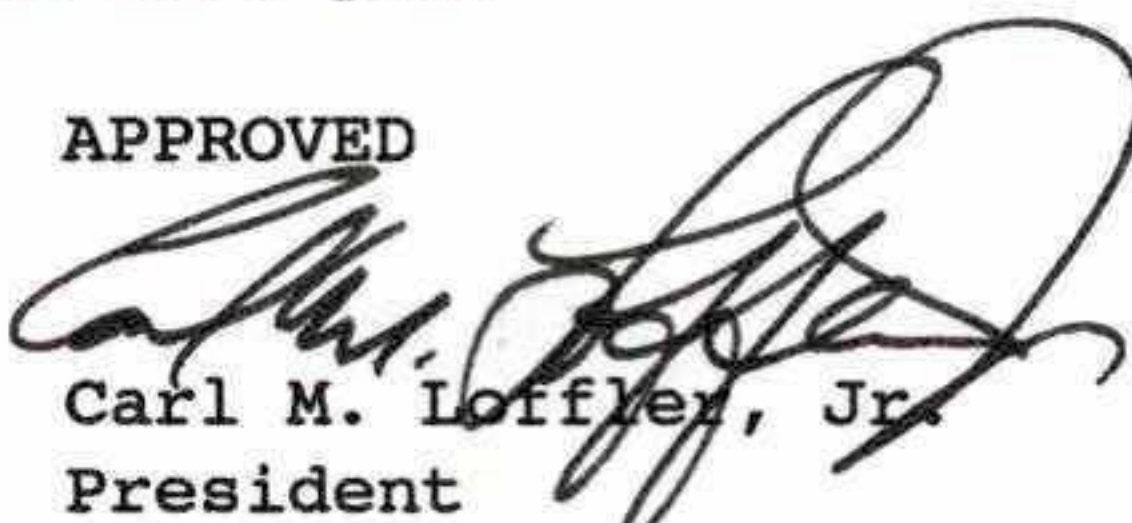
In reference to a suggestion that the residents of the area jointly use the Point Lookout Sewage Treatment Plant, Mr. Wilding reiterated the State's policy of not jointly sharing utility systems. The State is planning on demolishing the 250 gallon per day plant and construction a 130 gallon per day one. The plant is currently only used for Point Lookout State Park and the two boys camps. Mr. Wilding stated that he did see the logic in joint use with the community and indicated he would relate this to Secretary Brown; however, he noted that he felt that the State's policy would probably stand.

A tape of the proceedings is on file in the Commissioners' Office.

ADJOURNMENT

The meeting adjourned at 8:40 p.m.

APPROVED


Carl M. Loffler, Jr.
President

