

**BOARD OF COUNTY COMMISSIONERS' MEETING**

**Tuesday, September 4, 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 Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, August 29, 1990. Motion carried.

(Commissioner Bailey left meeting - 9:05 a.m.)

**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) **HOMELESS SERVICE PROGRAM AGREEMENT**

The County Administrator presented the referenced Homeless Service Program Agreement for Fiscal Year 1991 between Maryland State Department of Human Resources and St. Mary's County Government for Shelter, Nutrition and Service program to be effective November 1, 1990. The amount of the award is \$58,000.

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

2) **LETTER OF APPRECIATION**  
**CITIZEN ADVISORS' APPRECIATION NIGHT**

The County Administrator presented correspondence to certain businesses in the County for their contributions to the Citizen Advisors' Appreciation Night held August 24, 1990.

The Commissioners agreed to sign and forward the letters.

3) **PERSONNEL**  
**OFFICE ON AGING**  
**RSVP PROGRAM VOLUNTEER**

The County Administrator presented a memorandum dated September 4 from the Personnel Officer requesting that the RSVP Program Volunteer within the Office on Aging be changed from permanent part time to part time because of lack of grant funds.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the change as requested. Motion carried.

4) GENERAL DEVELOPMENT PLAN FOR SOUTHERN MARYLAND

The County Administrator presented a memorandum dated August 28, 1990 from Chairman of the Tri-County Council regarding the General Development Plan for Southern Maryland. The memorandum indicates that legislation mandates that TCC prepare a general development plan for Southern Maryland and that the plan be reviewed every four years. The current plan is dated, and Chairman Middleton recommends that Tri-County Council Director Hodge meet with the planning directors of the three counties to discuss preparation of the plan. County Administrator Cox recommended the Commissioners' endorsement of this effort.

Commissioner Jarboe moved, seconded by Commissioner Lancaster to accept this recommendation.

5) BUDGET AMENDMENT NO. 91-05  
PUBLIC WORKS

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide additional funds for new Sierra House. Funds to be taken from county's share of Walden project because state grant fell through. County Administrator Cox stated that \$41,500 budget amendment is due to bids coming in higher than projected.

Commissioner Loffler suggested that the Commissioners look at at the exact nature of the Sierra House project prior to transferring any funds from the Walden project to the Sierra project.

Later in the meeting Mr. Ichniowski, Director of Public Works, stated that the project is in the schematic phase of design and the Walden Board is looking at three plans. Once a decision is made on the plans, the Walden Board will be coming before the Commissioners regarding this.

In conclusion the Commissioners agreed to defer a decision on the Budget Amendment until after the Walden Board comes before the Board to explain the project.

6) ST. CLEMENTS ISLAND - TOUR BOARD

As a follow up to last week's discussion, the County Administrator presented correspondence to Secretary of Natural Resources Torrey Brown formally requesting assistance relative to providing tour boat service to St. Clements Island.

The Commissioners agreed to sign and forward the letter.

7) RUNAWAY AND HOMELESS YOUTH PROGRAM GRANT

On behalf of Walden-Sierra the County Administrator presented the following relative to the Runaway and Homeless Youth Program:

- Grant Modification in the total amount of \$111,758.
- Grant Application for Start Up Costs in the amount of \$3,939.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign to sign the referenced documents. Motion carried.

MARYLAND ROCK NON-CONFORMING USE REVIEW

Present: Jon Grimm, Director, Planning and Zoning  
William C. Dutton

As requested by the Commissioners, the referenced individuals appeared before the Board to discuss the status of Mr. Dutton's review of Maryland Rock's Non-Conforming Use. Mr. Grimm stated that the Board had authorized funding for an independent investigation into the public record of the Maryland Rock property to determine the nature and physical description of the non-conforming use at Abell's Wharf. Mr. Grimm indicated that Mr. Dutton has been meeting with him and the County Attorney on this issue, and one extension of his contract has been granted.

In closing Mr. Grimm advised that the report should be complete later in September, and once completed will be presented to the County Commissioners.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) ADDENDUM TO PUBLIC WORKS AGREEMENT  
CEDAR COVE - SECTION IV

Mr. Ichniowski presented an Addendum to the Public Works Agreement between Heritage Manor Homes, Inc. and St. Mary's County Commissioners extending the deadline for completion of improvements in Cedar Cove Subdivision, Section IV, Eighth Election District to March 1, 1991. The Addendum is backed by an amended Letter of Credit with Maryland Bank and Trust in the amount of \$511,400.

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

2) STREET LIGHTING CHANGE ORDER  
ST. JOSEPH PROJECT  
KING KENNEDY ESTATES

Mr. Ichniowski presented the following Street Lighting Change Orders for the Commissioners' approval:

- Change Order No. 15 to Street Lighting Contract between Southern Maryland Electric and St. Mary's County for St. Joseph Project.

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

- Change Order No. 16 to Street Lighting contract between Southern Maryland Electric and St. Mary's County for King Kennedy Estates.

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

3) RAILROAD RIGHT-OF-WAY AGREEMENT  
VICINITY OF PEGGS ROAD

Mr. Ichniowski presented a Railroad Right-of-Way Agreement among Board of County Commissioners, Southern Maryland Electric and David Israel Millison allowing construction of a temporary walkway for access to model homes.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Right-of-Way Agreement as presented. Motion carried.

4) DEPARTMENT OF TRANSPORTATION  
ANNUAL SIX YEAR PLAN PRESENTATION

With regard to the Department of Transportation's Annual Six Year Plan presentation, Mr. Ichniowski presented a list of priorities and other discussion items for the Commissioners' review.

5) PUBLIC INFORMATIONAL MEETING  
HOPTON PARK SUBDIVISION, SECTION 1

Mr. Ichniowski distributed information for the Public Informational Meeting relative to the establishment of a Special Taxing District for Hopton Park Subdivision, Section 1.

LORETTA HOUSE  
SEVENTH ANNUAL CHAPTICO CLASSIC

Present: Michael Whitson, Tri-County Group Home Board

Mr. Whitson appeared before the Commissioners to announce that the Seventh Annual Chaptico Classic 10K/5K Race will be held Saturday, September 8, 1990 for the benefit of Loretta House and invited the Commissioners participation.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting which was held at the Leonardtown Library.

PEGG ROAD GROUNDBREAKING CEREMONY

The Commissioners attended the groundbreaking ceremony for Pegg Road, Eighth Election District.

7:00 P.M.

Commissioner Bailey returned to the meeting - 7:00 P.M.

LITTLE LEAGUE ALL STARS  
COMMENDATIONS

The Commissioners presented Commendations to the participants in the District 7 Championships and Little League All Star Championships.

NON-TIDAL WETLANDS

Present: Peggy Reigle, Fairness to Landowners Committee (FLOC)  
Tom Merriweather, "  
Other FLOC members  
Tom Filip, Army Corps of Engineers  
Charles Uhler, Congressman Dyson's Office  
Bradford Reeves, Agriculture/Seafood Commission  
Jack Miller, Maryland Farm Bureau  
Other interested citizens

The Commissioners conducted a public meeting to discuss the non-tidal wetlands issue. Discussion included impact on local farmers, changes in the regulations, and associated agricultural concerns.

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

ADJOURNMENT

The regular portion of the meeting adjourned at 9:10 p.m.

PUBLIC FORUM

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

Minnie Russell - Questioned her tax assessment should her property go under water.

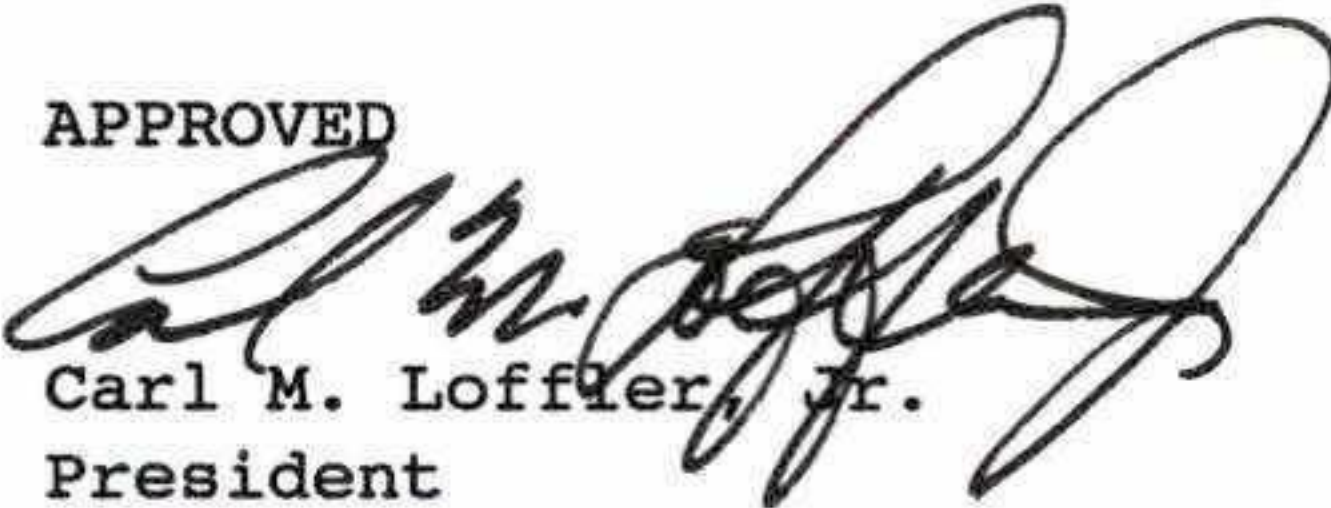
Questioned status of sewer line for First District. Commissioner Loffler indicated that the Commissioners will be determining what action to take.

Joe Greenwell - Requested Commissioners to not grant another extension to the contract for the review of the Maryland Rock Non-Conforming Use and that a date be set for a hearing before the Board of Appeals.

Leonard Greess - Supported Mr. Greenwell's comments.

The public forum adjourned at 9:45 p.m.

APPROVED

  
Carl M. Loffler, Jr.  
President

