

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, June 4, 1991

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

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Thompson to approve the minutes of the Commissioners' meeting of Tuesday, May 28, 1991. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Check Register as presented. Motion carried.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

**1) OFFICE OF COMMUNITY SERVICES
FEDERAL DEPENDENT CARE GRANT APPLICATION**

The County Administrator presented a grant application in the amount of \$10,000, which will be used towards various project activities including: start up of two additional day care sites, middle school enrichment club, workshop for child care staff, children's festival, and public information.

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

2) HOMELESS SERVICE PROGRAM GRANT

On behalf of the Department of Social Services, the County Administrator presented the Homeless Service Program grant application to be submitted to the Department of Human Resources in the amount of \$162,182.

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

**3) PUBLIC WORKS AGREEMENTS
WILDERNESS CLUSTER SUBDIVISION**

On behalf of the Department of Public Works, the County Administrator presented the following Public Works Agreements for the Commissioners' review and approval:

PUBLIC WORKS AGREEMENTS (continued)

Section 2 - By and between Wilderness Run Ventures, Inc. and St. Mary's County guaranteeing completion of improvements by June 1, 1992. The Agreement is backed by a Letter of Credit with Potomac Savings Bank in the amount of \$131,800.

Section 3 - By and between Wilderness Run Ventures, Inc., and St. Mary's County guaranteeing completion of improvements by May 1, 1992. The Agreement is backed by a Letter of Credit with Potomac Savings Bank in the amount of \$138,600.

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

**4) SEVENTH DISTRICT FIRE DEPARTMENT
REQUEST FOR SHERIFF'S DEPARTMENT VEHICLE**

The County Administrator presented correspondence dated May 23 from the Seventh District Fire Department requesting the donation of one of the turned-in Sheriff's Department vehicles.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the request. Motion carried.

**5) APPOINTMENTS
BOARDS, COMMITTEES, COMMISSIONS**

Commissioner Bailey moved, seconded by Commissioner Thompson, and motion carried, to make the following appointments:

Electrical Examiners Board	Term to Expire
George Kalnasy, Jr.	12/31/93
Wood Treatment Plant Task Force	
Garner D. Morgan, DDS, PA	No Term

6) CORRESPONDENCE TO LT. GOVERNOR STEINBERG

The County Administrator presented correspondence addressed to Lt. Governor Melvin Steinberg thanking him for visiting Southern Maryland for the Information Center dedication and for attending the Med-E-Vac meeting on May 20.

The letter requests that action be taken for the provision of a Med-E-Vac for Southern Maryland.

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

7) CORPORAL DAVID ZYLAK GRIEVANCE

The County Administrator presented correspondence addressed to the Assistant Attorney General responding to his May 31 letter and indicating that the Commissioners do not believe they should rule on the motion to dismiss the grievance filed by David L. Zylak of the Sheriff's Department until after completion of the Formal Grievance Review Board and evaluation of all information and evidence presented.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to sign and forward the letter as presented. Commissioners Bailey and Jarboe abstained. Motion carried with three votes in favor and two abstentions.

8) LEAVE SELL BACK

With regard to the Commissioners' recent action which discontinued the County's optional leave sell-back policy, which continued the 45-day maximum leave balance, which also discontinued the "grandfather" of 11 employees. The County Administrator advised that this is a major concern of those employees and recommended that the Commissioners modify the Leave Sell Back Policy to continue the "grandfather" status of the eleven remaining employees.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to modify the Leave Sell Back policy to continue the "grandfather" status of the eleven remaining employees that were "grandfathered" in 1983. Motion carried.

**OFFICE ON AGING
ARE AGENCY ON AGING PLAN**

Present: Gene Carter, Director
Jenny Page

The referenced individuals appeared before the Commissioners to present the St. Mary's County's Office on Aging Area Plan for Fiscal Year 1992. Mr. Carter explained the establishment and composition of the Plan and described the various activities and funding sources. In concluding his presentation, Mr. Carter described the goals and priorities for FY '92 which include: Maintenance of Effort; Planning and Opening the Loffler Center; Planning for the Northern Senior Site; Continued Staff Development; and Rescheduling of the Transportation Program.

After the presentation Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Area Agency on Aging Plan application. Motion carried.

EXECUTIVE SESSION

Commissioner Bailey moved, seconded by Commissioner Lancaster to meet in Executive Session to discuss a matter of Personnel. Motion carried. The Session was held from 10:00 a.m. to 10:35 a.m.

GOVERNOR'S COMMISSION ON DRUG ABUSE

The Commissioners participated in a meeting with the Governor's Commission on Drug Abuse held at the Carter State Office Building.

**OFFICE ON AGING
COMMENDATIONS - HOME-DELIVERED MEALS DRIVERS**

The Commissioner presented Commendations recognizing the drivers of the home-delivered meals for the Office on Aging.

**ORDINANCE NO. 91-19
PROPOSED ETHICS ORDINANCE**

As a follow up to previous discussions, the County Administrator presented the draft Ethics Ordinance for the Commissioners' review.

During discussion it was unanimously agreed upon that with regard to Page 4, Section G, that the Ethics Commission does have the authority to investigate alleged violations of the Ordinance.

After discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve Ordinance No. 91-19 - St. Mary's County Public Ethics Ordinance (Revised). Motion carried.

Commissioner Bailey moved, seconded by Commissioner Thompson, to set this date, June 4, 1991, as the effective date of Ordinance No. 91-19. Motion carried.

**SOUTHERN MARYLAND TREATMENT PLANT
REPORT ON CITIZENS MEETING**

Commissioner Thompson reported that she had attended the citizens' meeting held May 30 regarding EPA's proposed clean up of the Southern Maryland Wood Treatment site. She stated that approximately 100 people were in attendance, and they made it clear that they wanted to work with the County Commissioners in getting answers from EPA. A number of the citizens had expressed interest in serving on the county's recently established task force. She further advised that several suggestions from citizens had come out of the meeting:

- o To ask EPA if there had been an environmental impact statement done on the clean up; the citizens feel that the proposed incineration process will not be environmentally safe.
- o To have the record of decision rescinded and overturned and that the County elicit the help of other organizations; i.e., Tri-County Council and Chesapeake Bay Foundation in this effort.
- o To elicit the assistance of our Congressional and Legislative delegation in getting the decision overturned.

Commissioner Thompson stated that she had advised the group that the Commissioners would need information from the task force recommending what the County's position should be regarding the incineration. She further indicated that she had informed the citizens that the County had not to date received a response to the questions raised at the April 9 public meeting.

EXECUTIVE SESSION

Commissioner Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of personnel. Motion carried. The Session was held from 3:45 p.m. to 4:30 p.m.

7:00 P. M.

**ST. MARY'S COUNTY EMERGENCY SERVICES COMMITTEE
FIRE/EMERGENCY MEDICAL SERVICES MASTER PLAN STUDY**

Present: Joseph B. Carroll, Jr., Chairman
Members of the EMS Committee
Mary Pat Pope, Administrative Officer

The referenced representatives of the Emergency Services Committee appeared before the Commissioners to present correspondence listing the 13 top priorities of the 23 major recommendations developed by Carroll Buracker and Associates presented on April 24. The 13 priority items are:

1. Establish Uniform Accounting Procedures
2. Implement Quality Assurance Program in EMS
3. Expedite the Addressing System.
4. Adopt the 1990 BOCA Code.
5. Initiate Program to Dispatch Nearest EMS Provider.
6. Automate Workload, Training, Maintenance Records as a Part of Management Information System.
7. Establish/Assign a Full-time EMS Coordinator.
8. Adopt the County's Fiscal Year for Budgeting.
9. Centralize Purchase of Equipment and Insurance
10. Update Mutual Aid Agreements.
11. Initiate Public Education Program on Value on Volunteer Fire and Rescue Personnel to Citizens in St. Mary's County, both Fiscal and Professional.
12. Increase County Funding for Fire and Rescue Training.
13. Employ Administrative Assistant.

Mr. Carroll stated that each member company of the Ambulance Association and Fire Board have endorsed these priority items. It is the hope of the committee that these items will be done within six months. Mr. Carroll further stated that it was the Committee's role to make recommendations to the parent companies, and it was up to those groups whether or not to implement them.

PUBLIC FORUM

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

Leonard Greess - Inquired whether the Commissioners would be receptive to taping the Commissioners' meetings in order to give those who could not attend an opportunity to hear the Commissioners' comments on certain issues.

The Commissioners did not voice objection, but questioned the logistics of doing this and requested Mr. Greess to outline who he would envision this be handled.

James Lanham - Invited the Commissioners to attend the Metropolitan Police Boys and Girls Club meeting at Camp Brown on June 26.

Joe Carbanaro - Southern Maryland Wood Treatment Plant cleanup: EPA promised answers to questions raised on April 9 in six weeks - no response to date. Requested responses from EPA as to what other areas have had successful clean ups, the fact that there is no environmental impact statement, will Calvert Cliffs, the asphalt plant and the Southern Maryland site play together in putting pollutants into the air. An expanded fact sheet was to be distributed in May from EPA, which has not been done.

Commissioner Loffler advised that the Commissioners are in the process of appointing a task force to review the comments when they are received from EPA. He pointed out that very few applications for this committee have been received in the Commissioners' Office.

Jim Riedel - Reiterated Mr. Carbanaro's concern regarding the Southern Maryland Wood Treatment Plant and posed the following questions: How does the Board plan to respond to the citizen's concerns if the answers from EPA, when received, are less than satisfactory? What will be the Commissioners' actions when handed petitions requesting that the proposed incineration for clean up be revisited?

The Commissioners indicated that the Task Force will be requested to respond to these questions, and expert assistance will be sought if necessary. The Commissioners further indicated that the Commissioners' will be writing a letter to EPA requesting a response to the concerns addressed on April 9. Commissioner Loffler indicated that if there is a breach of trust by EPA, the County may seek a federal injunction.

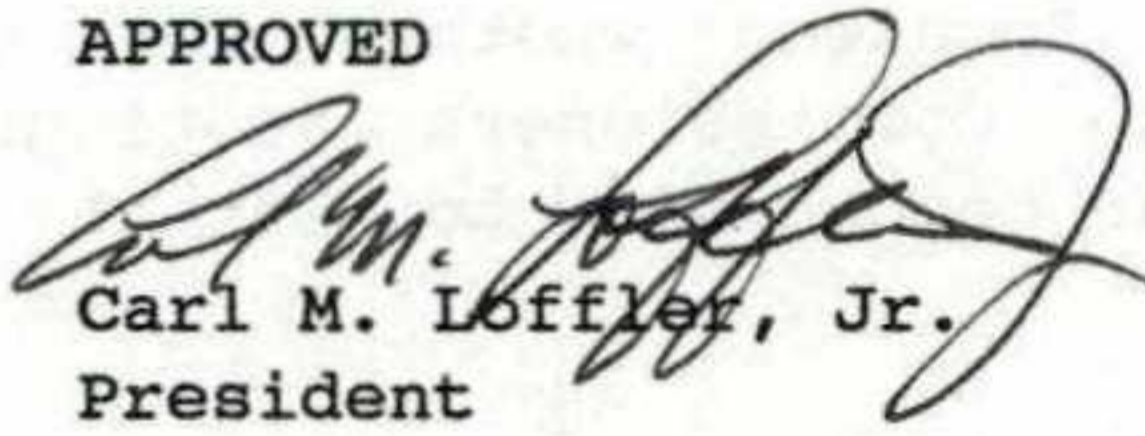
Jack Witten - Thanked Commissioners for conducting public forums and for adopting the Ethics Ordinance this date. Expressed concerns regarding the Southern Maryland Wood Treatment Plant: lack of Environmental Impact Statement, voids in record of decision (no record of volume of groundwater needed to support EPA clean up operation, what will come out of the smoke stacks, effects on pollutants on elderly and children, do data on performance criteria), risks to tobacco farms, and that there be a schedule from EPA. He suggested that the Commissioners assign staff to work with the task force in keeping records, writing correspondence, duplicating information, and putting out minutes and meeting notices.

Minnie Russell - Raised questions regarding the Homestead Tax Credit and the fact that mistakes were made by the Assessment Office on assessment notices as to whether the resident of the property resided on the property (indicated by an H) or rented the property (indicated by N). She stated that the notices were difficult to understand for some people. The Commissioners advised that they would request the Assessment Office to consider changing the notices for future billings.

ADJOURNMENT

The meeting adjourned at 8:25 p.m.

APPROVED



Carl M. Löffler, Jr.
President