

## BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, June 18, 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 9:00 a.m.

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, June 11, 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) **INFORMATION RELEASE**  
**SOUTHERN MARYLAND WOOD TREATMENT PLANT**

The County Administrator presented an Information Release indicating that the Commissioners have received the Environmental Protection Agency's response to citizen concerns raised during the April public meeting on the Southern Maryland Wood Treatment Plant.

The Commissioners authorized the distribution of the Information Release as presented.

2) **EXCHANGE OF PROPERTY**  
**ZONING REQUEST**

The County Administrator presented correspondence addressed to the Planning Commission advising that the County has been negotiating with Navy officials for the transfer of the former Frank Knox Elementary School property in exchange for two parcels on the south end of the Naval Air Station. The letter requests the Planning Commission's assistance in zoning of the property and suggests that the most appropriate classification would be I-1, General Industrial.

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

3) **TRADE FAIR 1991**

The County Administrator presented correspondence for the St. Mary's County Chamber of Commerce Trade Fair '91 encouraging citizens to attend and enjoy this event.

The Commissioners agreed to sign and forward the letter.



4) BUDGET AMENDMENTS

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

No. 91-78  
Public Works

To fund salaries/associated costs for the Solid Waste Division for the remainder of Fiscal Year 1991 - \$8500.

No. 91-79  
Public Works

To fund salaries/associated costs for the Vehicle Maintenance Division for the remainder of Fiscal Year 1991.

No. 91-80  
Animal Control

Additional funds for the Tri-County Animal Shelter; to cover county's share of FY '91 expenses - \$3,313

No. 91-81  
Public Works

Funds needed for repair of storm damage to stormwater management pond for the Carter Building - \$5,000.

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

5) CORRESPONDENCE TO AIRPORT COMMISSION

The County Administrator presented correspondence addressed to the Airport Commission requesting the Commission to review safety and insurance measures at the Airport in light of recent accidents that have occurred.

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

7) APPOINTMENTS  
BOARDS, COMMITTEES, COMMISSIONS

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

Commission for Women	Term to Expire
Marjorie E. Feigleson	6/30/95
Commission on Aging	
Dr. William J. Marek	6/30/94
Community College Advisory Board	
Fred J. Wallace	6/30/96
Economic Development Commission	
Alfred Gough, Jr.	6/30/94
George Haliscak	6/30/94
Harold Herndon	6/30/94



**APPOINTMENTS (continued)**

<b>Mental Health, Alcoholism, Drug Abuse Advisory Council</b> Dennis M. Scott	6/30/96
<b>Social Services Board</b> James Neal	6/30/94
<b>Tri-County Community Action Committee</b> Lillie Lane	6/30/94

**8) OFFICE ON AGING  
REASSIGNMENT**

The County Administrator presented a memorandum dated June 14 from the Personnel Officer requesting approval to noncompetitively reassign Bernice Smith from the Chief Long Term Programs position, Grade 19, which had been deleted from the FY '92 budget, to the Long Term Program Coordinator position, Grade 15, within the Office on Aging. In accordance with the Personnel Manual the new grade shall be adjusted to a step not lower than the current rate of pay.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the reassignment as referenced. Motion carried.

**9) FISCAL YEAR 1992 SALARY SCHEDULE**

The County Administrator presented the St. Mary's County Government Fiscal Year 1992 Salary Schedule for the Commissioners' approval.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the Salary Schedule as presented, effective July 1, 1991. Motion carried.

**OFFICE OF PLANNING AND ZONING**

Present: Jon Grimm, Director

**1) CERTIFICATE OF OCCUPANCY PROCEDURES**

Also Present: Paula Martino, Chief, Inspections and Enforcement

The referenced individuals appeared before the Commissioners to present a proposal for new procedures in the Office of Planning and Zoning which streamline the process involved in getting a Certificate of Occupancy. Ms. Martino explained the current process which often has resulted in delays in persons obtaining their C & O Permit. The new system institutes a single inspection "signature card" method of final agency sign off, and individuals will be able to receive a C & O within 24 hours in most cases. The new policy will become effective August 1, 1991.

**2) HISTORICAL PRESERVATION GRANT**

Also Present: Julia King, Md. Historical Trust  
Joe Gough, Chairman EDC  
Beth McCoy

Mr. Grimm presented an application for the St. Mary's County Master Plan for Historic Preservation grant, Phase 2 in the total amount of \$19,271 (local match \$9,635.50). Phase 1, currently underway, will develop an historical framework for the county and will reactivate the Historic District Commission; Phase 2 will identify how to apply this information to the planning function; Phase 3 will follow up by designing the procedures for incorporating historic preservation planning functions of the Office of Planning and Zoning Planning Commission, Board of Appeals, and the Historic District Commission.



Mr. Grimm advised that the local match had been requested in the Office of Planning and Zoning's FY '92 budget request, but had not been approved by the Commissioners.

During discussion Ms. King, Mr. Gough, and Mrs. McCoy expressed support of the grant. Ms. King stated that the \$9,635.50 request from Maryland Historical Trust is pass-through funds from the federal government.

Commissioner Jarboe moved, seconded by Commissioner Loffler, to approve the funding of the County's share of \$9,635.50 for Fiscal Year 1992. Commissioner Thompson voted against the motion stating she was concerned about tapping into the Commissioners' Reserve Account. Motion carried four to one.

#### LITERACY WORKS TEAM

Present: Judith Jenkins, Supervisor, Adult Education  
Susan Hance, Dept. of Social Services  
Martha Harford, Adult Education  
Les Shaw  
Janice Hummel  
Sister Sarah Ann

The referenced individuals appeared before the Commissioners to request reaffirmation that the Literacy Works Team is the lead agency for all literacy works in the County. County Administrator Cox advised that the Commissioners received correspondence from State Superintendent of School Joseph Schilling requesting the Commissioners to designate one of the agencies participating in the Literacy Works Team as a lead agency for adult education and literacy programs under one leadership.

Mrs. Jenkins advised that the Literacy Works Team has been administering the Literacy Works grant and program successfully for the past two years. Mrs. Jenkins expressed the following concerns regarding the proposed funding model by Superintendent Schilling:

- o The Literacy Works Team had not been made aware of the the change and was not given an opportunity to provide input.
- o The proposed model is still under development leaving many questions unanswered.
- o The Literacy Works Team may not be able to handle overseeing the entire adult education program.
- o There are other aspects to Adult Education that are not related to literacy, but more towards trade skills-- plumbing, bricklaying.
- o Local elected officials will be making the decision as to who will be running the adult education programs, which could change with each election.
- o Local monitoring and evaluation of programs may not be as effective as having a state-wide evaluation system.
- o The Private Industry Council presently signs office on the Literacy Works Grant and it is uncertain under the proposed model the role PIC will play.

In concluding the presentation, Mrs. Jenkins indicated that there needs to be more time to study the proposal with an opportunity given for discussion and answers to questions.



County Administrator Cox suggested that the Commissioners send a letter to Dr. Schilling indicating the need for further study and discussion before the Board can make a decision as to the lead agency. The letter should also request reconsideration of Dr. Schilling's proposal.

**BOARD OF EDUCATION  
CATEGORICAL FUNDING**

Present: Charles Wade, Director of Finance

Mr. Wade appeared before the Commissioners to discuss the Board of Education's categorical funding prior to the Board's approval and presented a handout setting forth certain issues regarding the categories.

Mr. Wade explained the following issues:

- o The FY '92 Board of Education uses \$958,126 of insurance premium refunds, which by law should have been returned back to the County General Fund. (Mr. Wade presented correspondence from Cox, Long & Colvin suggesting that the County get clarification regarding this matter.)
- o The State will not fund social security or retirement contributions for general salary increases, and the Board of Education has elected to defer budgeting these funds (\$513,000) until FY '93. Mr. Wade recommended that it be included in the FY '92 budget.
- o The FY '92 Board of Education budget utilizes \$1,229,809 of deferred impact aid, which is a non-recurring revenue source.

Mr. Wade explained that the referenced items are non-recurring revenues that will impact the Fiscal Year 1993 Board of Education budget.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign and forward correspondence to the Board of Education requesting clarification of the issues which will be discussed at next week's meeting. Motion carried.

**PROCLAMATION  
ADOPT-A-CAT MONTH**

Present: Amy Freeman, Humane Society

The Commissioners presented the referenced Proclamation designating the month of June as Adopt-A-Cat Month in St. Mary's County.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

**1) SOLID WASTE ORDINANCE  
SCHEDULE OF FEES**

As a follow up to previous discussions, Mr. Ichniowski presented proposed Rules and Regulations for the Use of Solid Waste Disposal Facilities.

Discussion ensued regarding the \$25 sticker fee for use of the Transfer Stations. Commissioner Bailey stated that he was not in favor of a fee because of the burden it would place on certain residents of the county who could not afford it. Commissioner Thompson indicated that the sticker fee was necessary because of increased costs to operate the solid waste facilities.



After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe to direct that the Resolution adopting the revised Rules and Regulations and Fee Schedule be prepared deleting the \$25 sticker fee for use of the transfer station and that the revision be effective August 1, 1991. Commissioners Loffler and Thompson voted against the motion. Motion carried. three to two.

In order to maintain control of solid waste disposal, Commissioner Lancaster moved, seconded by Commissioner Jarboe, to institute a sticker system, at no cost to the citizens, with procedures to be developed by the Department of Public Works. Motion carried.

2) PUBLIC WORKS AGREEMENTS

Mr. Ichniowski presented the following Public Works Agreements for the Commissioners' review and consideration:

**Pine Ridge Subdivision**

Dated April 15, 1991 between Ford Dean and St. Mary's County guaranteeing completion of Pine Ridge Court by July 15, 1991. Agreement is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$35,000

**Laurel Grove Estates**

Dated May 3, 1991 between Old Land Joint Venture and St. Mary's County guaranteeing completion of Laurel Court by May 1, 1992. Agreement is backed by a Letter of Credit with The Washington Savings Bank in the amount of \$90,625.

**Richneck Subdivision, Section 2**

Dated May 15, 1991 between Amos Ripple and St. Mary's County guaranteeing completion of Burnt Mill Court by May 1, 1992. Agreement is backed by a Letter of Credit with The First National Bank of St. Mary's in the amount of \$55,600.

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

3) CORRESPONDENCE CALLING LETTER OF CREDIT  
COOK HALL RUN

Mr. Ichniowski presented correspondence calling the Letter of Credit for Cook Hall Run as follows: Public Works Agreement - Letter of Credit No. 280530 with Maryland National Bank in the amount of \$35,300.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the correspondence to be forwarded if necessary. Motion carried.

4) ACCEPTANCE OF DEED  
PEGGS ROAD RECONSTRUCTION

Mr. Ichniowski presented a Deed dated June 3, 1991 between John Edward Christensen, Jr., and the Board of County Commissioners relative to the Peggs Road Reconstruction project.

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



**ST. MARY'S REGIONAL PARK**

Present: John Baggett, Director

Relative to previous discussions regarding funding for the St. Mary's Regional Park, Mr. Baggett apprised the Commissioners of the federal Land and Water Conservation program funding which is given to the State for distribution to jurisdictions. Therefore, Mr. Baggett presented a Program Open Space grant application in the amount of \$158,673 to be used towards lighting of ball diamonds at the Regional Park. Mr. Baggett advised that the Governor has sign Senate Bill 174 which provides \$200,000 for the Regional Park.

During discussion Mr. Baggett reiterated his previous request to be authorized to transfer funds from Nicolet Park (\$34,063) and Piney Point Development (\$242,180) for the construction of the ball diamonds at the Regional Park. He stated that correspondence dated June 3, 1991 from the Department of Natural Resources indicates that almost all projects have been deleted from the Waterway Improvement program; however, the Piney Point Boating facility remains in the amount of \$600,000 for acquisition. He stated that funds for development were deleted, and therefore, the funds needed from the County for matching will not be needed until 1994.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to allow the Director of Recreation and Parks to transfer the funds as requested and further to approve and sign the Grant Application for Program Open Space in the amount of \$158,673. Motion carried.

**2) COMPREHENSIVE RECREATION AND PARKS PLAN**

Mr. Baggett advised that Program Open Space legislation requires a Comprehensive Recreation and Parks Plan every five years with the next plan scheduled for June 30, 1993. He stated that the Recreation and Parks Plan will be tied into the County's Comprehensive Land Use Plan. The state is requesting that by August 1992 the County submit a draft of the local plan. Mr. Baggett pointed out that the State will be taking uncommitted funds from Program Open Space later in June and recommended that the Commissioners approve a Program Open Space Grant Application in the amount of \$25,000 for Fiscal year 1992 to be used toward the Comprehensive Master Recreation and Parks Plan.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and sign the Program Open Space Grant Application as requested. Motion carried.

**PLANNING COMMISSION  
FIRE SUPPRESSION REQUIREMENTS**

The County Administrator presented correspondence addressed to the Planning Commission requesting them to review and reconsider their decision with regard to fire suppression requirements for St. Mary's County Airport. This request is based on comments from the State Fire Marshal and from Mr. Bildman who said he would put in a fire wall. The letter indicates the County's commitment to provide water service to the airport property.

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



**EXECUTIVE SESSION**

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of Property Acquisition, Litigation, and Personnel. Motion carried.

The Sessions were held as follows:

**Property Acquisition and Litigation**

Also Present: Dan Ichniowski, Director, Public Works  
Joseph Densford, County Attorney

Held from 12:10 to 1:25

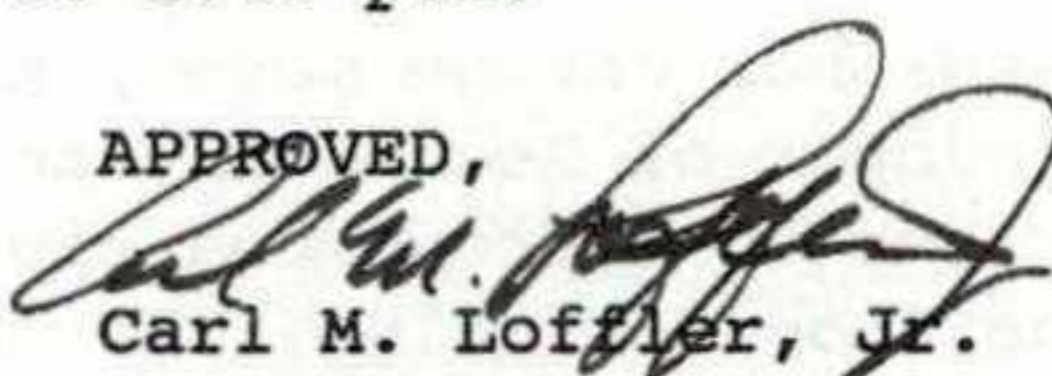
**Personnel**

Held from 1:25 p.m. to 1:45 p.m.

**ADJOURNMENT**

The meeting adjourned at 1:45 p.m.

APPROVED,

  
Carl M. Loffler, Jr.  
President