ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS

December 3, 1991

Present: 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, November 26, 1991. Motion carried.

APPROVAL OF BILLS

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

RE-ESTABLISHMENT OF JUVENILE MASTER

Present: Judge John Hanson Briscoe
Judge Marvin Kaminetz

Judges Briscoe and Kaminetz appeared before the Commissioners to request the resumption of the Juvenile Master position. Judge Kaminetz had been serving as Juvenile Master prior to and subsequent to his appointment as a Judge of the Circuit Court. Because of the increased case load, this arrangement is no longer feasible.

Judge Briscoe explained that funds are available in the Contracts Account for the balance of Fiscal Year 1992 and requested the Commissioners' consideration for refunding the position for Fiscal Year 1993. He suggested that the old District Court at the Courthouse could be converted to accommodate the Juvenile Master as well as the Judges of the Orphans Court.

Because of the significant increase in domestic relations and other cases, Judge Kaminetz indicated that juvenile cases have suffered. He pointed out the importance of juvenile work stating that it comes under three areas: juvenile delinquency, Children in Need of Assistance (CINA) and Children in Need of Support (CINS).

During discussion Judge Kaminetz stated that the estimated annual cost based on two days a week for a Juvenile Master would be $50,000 to $55,000 a year. This amount would include initial start up costs; i.e, equipment, furniture, and supplies. After the first year the cost would be approximately $35,000 to $40,000 per year for the Juvenile Master and a secretary.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to support the resumption of the Juvenile Master for the balance of Fiscal Year 1992 as requested and that the request for funding for Fiscal Year 1993 be considered during the budget process. Motion carried.

FIFTIETH ANNIVERSARY OF THE ATTACK ON PEARL HARBOR

Present: Michael Humphries
John Beaton, World War II Veteran
Elmer Bishop, "
Clarence Davis, "
Warren Dean, "

Mr. Humphries introduced the referenced World War II Veterans who were present at Pearl Harbor during the attack by the Japanese on December 7, 1941 and are residents of St. Mary's County. (Mr. Joe Ricketts was unable to be present.)

Mr. Humphries presented a video on the commemoration of the attack on Pearl Harbor.

SHERIFF'S DEPARTMENT
CERTIFICATE OF CORRECTIONAL COMPLIANCE

The Commissioners attended the presentation of a Recognition of Achievement Award presented by the Maryland Commission on Correctional Standards for the St. Mary's County Detention Center which operated in 100% compliance with the standards for adult detention centers.

FISCAL YEAR 1991 FINANCIAL STATEMENT

Present: John Cox, Cox, Long and Colvin
Charles Wade, Director of Finance

Mr. Cox appeared before the Commissioners to present the St. Mary's County Financial Statement for the Fiscal Year ending June 30, 1991. He reviewed the County's fiscal position, comparison of actuals to budget - General Fund, general long-term obligations, and ratios of financial condition. Although some of the indicators indicate declining fiscal health, Mr. Cox stated that given the general economy this is not a serious condition unless the condition continues.

In addition Mr. John Cox distributed correspondence regarding Cox, Long, and Colvin's performance of an audit for the Board of Education financial statements for the year ended June 30, 1990. Mr. Cox pointed out reportable conditions relative to internal control structure and its operation. He reviewed certain deficiencies in the design or operation of the internal control structure in the following areas: Bonding Requirements, Cash, Fixed Assets, Budget Amendments, Cash Disbursements, Payroll and Purchasing.

Commissioner Loffler suggested that a copy of this letter be forwarded immediately to the Board of Education.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to provide a copy of the letter to the Board of Education along with a copy of the re-audit report and management letter. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Joseph Densford, County Attorney
Dan Ichniowski, Director, Public Works

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of litigation. Motion carried. The Session was held from 11:45 a.m. to 12:15 p.m.

STAFF MEETING

The Commissioners attended the monthly Staff Meeting at the Carter State Office Building, Public Meeting Room.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **APPOINTMENTS - BOARDS, COMMITTEES, COMMISSIONS**

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

Council on Children and Youth	**Term to Expire**
Henrietta M. Gross	12/31/93/96
Marcey House	
James E. McCleaf	12/31/93
Cable Advisory Committee	
John Ragland	12/31/92/97
Enhanced 911/Uniform Addressing Task Force	
Ruth W. Proffitt	No Term

2) **HELEN BOWLES PROPERTY - SEWAGE SLUDGE UTILIZATION APPLICATION**

The County Administrator presented correspondence addressed to the Maryland Department of Environment indicating that the County does not request a public informational meeting regarding Mobile Dredging's proposed sewage sludge utilization project for the Helen Bowles property and does not have comments on the application.

The Commissioners agreed to sign and forward the letter.

3) **CORRESPONDENCE CALLING LETTERS OF CREDIT**

On behalf of the Department of Public Works the County Administrator presented the following correspondence calling Letters of Credit as indicated:

Laurel Ridge, Section 3
To Maryland Bank and Trust Company calling Letter of Credit #357A in the amount of $90,000 for a Public Works Agreement

Greens at Hilton Run, Phase 2, SWM
To First National Bank of St. Mary's calling Letter of Credit A109.05.90 in the amount of $20,000 for Grading Permit #90--24.

St. George Hundred (formerly Chancellor's Run Estates)
To Maryland Bank and Trust Company calling Letter of Credit #359A in the amount of $10,000 for Grading Permit #86-01A.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the correspondence calling Letters of Credit as presented, to be forwarded if necessary. Motion carried.

4) **COUNTY AIRPORT - SKYDIVING**

The County Administrator presented correspondence addressed to the St. Mary's County Airport Commission indicating that safety concerns have been raised relative to the skydiving operation at the County Airport. The letter requests a timetable for resolving the problems associated with the skydiving activity.

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

(Commissioner Lancaster left meeting - 2:40 p.m.)

EXECUTIVE SESSIONS

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of Property Acquisition and Personnel (consideration of appointments to Boards, Committees, Commissions). Motion carried. The Sessions were held as follows:

Property Acquisition

Also Present: Phil Rollins, Director, Recreation and Parks

(Held from 2:50 p.m. to 3:07 p.m.)

Personnel

(Held from 3:07 p.m. to 4:00 p.m.)

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

7:00 P. M.

PUBLIC FORUM

The Commissioners conducted the regular monthly Public Forum accepting questions and comments from the audience.

Oran Wilkerson - (1) Pointed out that the Attorney General has indicated that the St. Mary's County Open Meetings Law will supersede Maryland's law in cases that concern St. Mary's County. (2) Brought Commissioners up to date relative to Southern Maryland Wood Treatment Plant stating that there are other alternatives that have been submitted to EPA for consideration including thermal distillation. Waste-Tech will be making a presentation to the Environmental Coalition which will test soil samples from the site.

Leonard Greess - Submitted memorandum to the Commissioners regarding the process for appointment to Boards, Committees, and Commissions stating that there was no requirement for public reaction, no dates given for specific appointments, and unavailable of personal profile sheets. Mr. Greess requested a public meeting to allow comments on the appointment process.

Joe Greenwell - Requested assurance that the County's bonding for Maryland Rock will protect the interests of the residents of Breton Bay. He expressed concern because of Maryland Rock not honoring previous agreements and the conditional use permit. Mr. Greenwell referred specifically to the original 40 acre site, which had been increased to 50 acres and was to be reduced to 15 acres and to the berm on the north side of Maryland Rock which was

to be a temporary berm according to the Reclamation Plan. In addition Mr. Greenwell indicated that there were two conditions that have not been complied with; provision of funding for restitution and for rehabilitation of the roads which now totals $65,000 after 13 years.

Commissioner Loffler advised that the Commissioners would not have control over that situation unless there was a health and safety situation.

Minnie Russell - (1) Questioned where drainfield will be located for Airdele Road project stating that $2M has been approved for the project. The Commissioners advised that they would look into the location of a site. (2) Questioned why five subdivisions had not been approved by the State Critical Area Commission for growth allocation. County Administrator Cox advised that the Commissioners had requested the Critical Area Commission to reconsider its rejection of the applications. At this time the Commission has rejected any reconsideration and the Commissioners are considering legal action.

Millicent Witten - Questioned status of railroad right-of-way stating the Maryland Department of Transportation has approved funding for a rail system from Point of Rock to Frederick. She stated the County should start the planning process to have rail service from Patuxent River to Waldorf.

Jack Witten - Stated that he has been unable to obtain a copy of a map showing the railroad right-of-way from Waldorf to St. Mary's. County Administrator Cox stated that there will soon be a presentation made to the Commissioners showing the railroad right-of-way in its entirety. He further discussed the availability of grant funding for small air terminals which could provide efficient moving of people between Washington, D. C. and St. Mary's County.

Paul Chesser - Inquired whether the County was looking into new technology for rapid transit such as monorails. Commissioner Loffler responded that the County was not looking into at this time.

The Public Forum concluded at 8:15 p.m.

APPROVED,

Carl M. Loffler, Jr.
President