

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS**

June 2, 1992

**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 9:05 a.m.

**APPROVAL OF MINUTES**

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, May 26, 1992, as corrected. Motion carried.

**APPROVAL OF BILLS**

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

**COUNTY ADMINISTRATOR ITEMS**

**Present:** Edward V. Cox, County Administrator

1) **Budget Amendment No. 92-55 - Planning and Zoning**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: Transfer of funds to replace current plotter as needed and requested in FY '93 budget. Breakdown of this plotter will render the current computer mapping system unable to output mapping in hard form (\$6,500).

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

2) **Sludge Application - Evans Fletcher - Cedar Lane**

The County Administrator presented correspondence dated May 28, 1992 from Maryland Department of Environment forwarding a sewage sludge utilization permit application for the application of sewage sludge on agricultural land.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to forward the letter to MDE indicating that the Commissioners will not request a public meeting/hearing and to reiterate concerns over environmental safety and land records notification. Commissioner Jarboe voted against the motion. Motion carried four to one.

3) **Noxious Weed Control Agreement**

The County Administrator presented the Noxious Weed Control Agreement for Fiscal year 1992 between St. Mary's County and the Maryland Department of Agriculture.

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

4) **Resolution No. 92-15 - Redistricting of St. Mary's County**

In order to finalize the Redistricting Plan submitted to the Commissioners on April 7, 1992, the County Administrator presented Resolution No. 92-15 formally accepting the Redistricting Plan as submitted by the Redistricting Board.

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

5) **Community Long Term Care Plan/Senior Care Program Proposal**

The County Administrator presented the referenced Community Long Term Care Plan/Senior Care Program Proposal for Fiscal Year 1993 to be forwarded to the Maryland Office on Aging.

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

6) Grant Application - Crime Victims Services  
Walden/Sierra - Domestic Violence/Sexual Assault

The County Administrator presented the referenced grant application for crisis intervention, therapeutic services and support services for adult victims of domestic violence and sexual assault beginning October 1, 1992 to continue no later than September 30, 1996.

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

7) Letters of Appreciation - Annual Reports

The County Administrator presented letters of appreciation for presentation of the following annual reports: Tri-County Community Action, Extended Day Care Planning Committee, and RC&D.

The Commissioners agreed to sign and forward the letters.

8) "Maryland's Most Beautiful People" Project

The County Administrator presented correspondence responding to Governor Schaefer's request for a coordinator from St. Mary's County for the sixth annual "Maryland's Most Beautiful People" Project. The letter designates Cynthia Brown, Director, Office of Community Services as St. Mary's County's coordinator.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to appoint Cynthia Brown and to sign and forward the letter as presented. Motion carried.

9) Liberty Land Development Corporation  
Use of County-Owned Land (Chancellors Run Road)

The County Administrator presented correspondence responding to Mr. Edward Curley's request dated May 4, for a temporary use of a portion of Chancellors Run Road at Amber Drive for parking during construction of rental townhomes. The letter indicates concurrence with the temporary use with the condition that he contact the Department of Planning and Zoning for temporary site plan requirements and applicable setbacks. An entrance permit will also be required.

During discussion Commissioner Thompson raised concern relative to the county's liability if someone was injured on the property. County Administrator Cox will get a determination from the County Attorney on this question.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the request and to sign and forward the letter. Commissioner Thompson voted against the motion. Motion carried four to one.

10) Appointments  
Boards, Committees, Commissions

Commissioner Bailey moved, seconded by Commissioner Lancaster, and motion carried, to make the following appointments with terms as indicated:

<u>Commission on Aging</u>	<u>Terms to Expire</u>
Ella May Russell (Reappt.)	6/30/95
<u>Economic Development Commission</u>	
William Moyer (Reappt.)	6/30/95
Ray Runco (Reappt.)	6/30/95
<u>Housing Authority</u>	
Billie Brown (Reappt.)	6/30/97
<u>Mental Health, Alcoholism Drug Abuse Advisory Council</u>	
Sue Gelrud (Reappt.)	6/30/97
Robert Guest (Reappt.)	6/30/97
Suzanne Lawrence (Reappt.)	6/30/97
Gerda Manson (Reappt.)	6/30/97
<u>Plumbing Board</u>	
John White (Reappt.)	6/30/97

11) **St. Mary's County Memorial Library**

In response to the President of the Library Board's letter regarding step increases for library employees and increased costs for health insurance, the County Administrator presented correspondence indicating that the FY '93 budget included funds for step increases. The letter further advised that increased state revenues would provide adequate funding to cover the health insurance increases.

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

12) **Travel/Training Request  
Sheriff's Department**

The County Administrator presented a Travel/Training Request for Lt. Stanley J. Williams to attend the Maryland Correctional Administrator's Association's Annual Conference in Ocean City June 7-9. Mr. Cox advised that the Sheriff was appealing to the Commissioners the County Administrator's denial of the request. He stated that the request was denied as had others since January 1 because of budgetary restraints.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to authorize Lt. Williams to approve the Training/Travel Request for Lt. Williams. Motion carried.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

1) **Easement Agreement - Railroad Right-of-Way  
Bay Center Association Limited Partnership**

Mr. Ichniowski presented an Easement Agreement between the Board of County Commissioners, Southern Maryland Electric Cooperative and the Bay Center Association Limited Partnership which covers two items:

- a) easement for a six-inch sewer line connection to the existing sewer line within the railroad right-of-way, and
- b) confirmation of the 1986 agreement to allow use of the right-of-way adjacent to St. Andrews Church Road for ingress and egress.

Discussion ensued regarding the safety of the current entrance/exit on St. Andrews Church Road as constructed by State Highway Administration and whether it should be redone in the way the county had approved it (exit only). There was also discussion regarding the possibility of making a shared entrance with the adjacent property (the mobile home park).

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the request and that the Easement Agreement be rewritten to include a requirement that when and if the other property is developed that there be a combined entrance and the current entrance/exit to Bay Center be closed. Motion carried.

2) **Road Resolution  
Addenda to Public Works Agreements**

Mr. Ichniowski presented the following documents for the Commissioners' review and approval:

- Road Resolution No. R92-09  
Coral Place

Posting Coral Place as a loading and unloading zone on its eastern side from its intersection with Tulagi Place, for a distance of approximately 100 feet in a northerly direction.

- Addendum to Public Works Agreement  
Wildewood - Redwood Lane

Between Paragon Builders, Inc. and St. Mary's County extending the deadline for completion to July 1, 1992. Addendum is backed by a Letter of Credit with Maryland Bank and Trust Company in the amount of \$16,000.

- Addendum to Public Works Agreement  
Wildewood - Ash Court

Between Paragon Builders, Inc. and St. Mary's County extending the deadline for completion to July 1, 1992. Addendum is backed by a Letter of Credit with Maryland Bank and Trust Company.

- Addendum to Public Works Agreement  
Wildewood Parkway, Redwood Lane, Almond Court

Between Paragon Builders, Inc. and St. Mary's County extending the deadline for completion to July 1, 1992. Addendum is backed by a Letter of Credit with Maryland Bank and Trust Company in the amount of \$36,000.

- Addendum to Public Works Agreement  
Pyles Acres

Between Edward V. Howlin, Inc. and St. Mary's County extending the deadline for completion to December 1, 1992. Addendum is backed by a Letter of Credit with Maryland National Bank in the amount of \$10,000.

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

**EXECUTIVE SESSION**

Present: Edward V. Cox, County Administrator  
Gene Carter, Director, Office on Aging  
George Foster, Personnel Officer  
Jane Kostenko, Outreach Specialist, OOA

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

**1990 BOCA NATIONAL BUILDING CODE AND 1990 BOCA ENERGY CODE**

Present: Jon Grimm, Director, Planning and Zoning  
Paula Martino, Chief, Inspections and Enforcement

Mr. Grimm and Ms. Martino appeared before the Commissioners to present the Planning Commission's and BOCA Appeals Board's recommendations for the adoption of the referenced codes. Mr. Grimm stated that there are many provisions that relate to urban areas, and the County would adopt only those provisions that would be applicable to St. Mary's. He pointed out that when the County adopted the BOCA Building Code in 1990, it adopted the 1987 version, shortly after which BOCA International adopted a 1990 version. He stated that BOCA updates its code every three years.

Relative to the Energy Code, Mr. Grimm noted that the County is currently operating under the 1984 edition. He stated that the Planning Commission and BOCA Appeals Board has recommended adoption of the 1990 Energy Code.

Ms. Martino highlighted the major revisions of the proposed amendments to the BOCA with a side-by-side analysis of the 1987 and 1990 references. Major changes dealt with fire protection standards, riser heights for stairs, greenhouses and snow loads, thickness of foundation walls, and use of roofing materials.

Discussion ensued regarding allowing individuals in the building industry an opportunity to review the changes.

In conclusion the Commissioners requested that there be a work session to review the proposed amendments with those individuals using the code prior to scheduling a public hearing.

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT - FREEWING AIRCRAFT CORPORATION**

Present: Joseph Mitchell, Director, DECD  
F. Elliott Burch, Jr., Chairman EDC  
Joe Gough, EDC  
Dick Wilson, Airport Commission  
Hugh Schmittle, Freewing  
Odile Legeay, "  
Jim Gatto, Director, DEED  
Dick Gallant, NAWC

The referenced individuals appeared before the Commissioners to discuss

Freewing's project using new technology and the possibility of locating the business in St. Mary's County. Mr. Mitchell indicated that assistance would be needed from the county for Freewing to locate at the St. Mary's County Airport.

Mr. Schmittle presented the background of the project noting that it was an incubation project of the University of Maryland's Technology Advancement Program. The aircraft features a hinged wing that pivots thereby reducing turbulence. He advised that with the county airport and the Navy base, St. Mary's County is an attractive location for testing of the manned and unmanned plane. He further stated that private businesses and the military have expressed an interest in the project. Overtures have been made by several counties, but Freewing has narrowed the selection of location to Hagerstown and St. Mary's County.

Mr. Schmittle advised that a 20,000 square foot factory would be constructed as well as a 10,000 square foot production facility, and reported to the Commissioners the number of jobs that would be created with this project--30 by the end of year two and 40 by the end of year three.

In referring to the Business Plan, Mr. Schmittle advised that Freewing will be raising \$2M financing for the manned aircraft project, and \$5M will be needed if the unmanned aircraft is developed. Funds will be raised through private financing and grants.

Mr. Gatto explained DEED's financing programs--a MILA (Maryland Industrial Loan Act), a program that provides financing for buildings and land for industrial operations. Funds are loaned to the County, which in turn lends it to the business. A second program is the CDBG (Community Development Block Grant) program, wherein funds are provided to the business through local government, and the county would not be liable for financial payback. CDBG funds would be provided by DEED with the contingency that other capital be raised.

Mr. Wilson expressed the support of the Airport Commission and stated that the project is fully compatible with the use of the airport including its long range plans.

Mr. Burch advised the Economic Development Commission is in support of the project.

Mr. Gallant pointed out that NAWC is interested in the technology and is in support of the project and stated that a facility is available at Webster Field for testing.

In closing Mr. Schmittle advised that in order to proceed, approval is needed by the Commissioners for the MILA Loan.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, for the County to proceed with the paperwork for the MILA Loan application, contingent upon review of the Business Plan by the County's Director of Finance and upon Freewing Corporation raising the necessary financing. Motion carried.

#### **STAFF MEETING**

The Commissioners attended the regular monthly staff meeting at the Carter State Office Building.

#### **DEPARTMENT OF PLANNING AND ZONING PUBLIC HEARINGS**

Present: Jon Grimm, Director  
Peggy Childs, Recording Secretary

#### **1) CWSP #85-1083 - MARC HAWES PROPERTY**

Also Present: Marc Hawes, Owner  
Robert Joyner

Requesting W/S category change from S-6 to S-3d to allow sewerage service from St. Clements Shores WWTP. The property contains 16.72 acres, is zoned RPD (Partial RCA Overlay), and is located on the east side of Rosebank Road, 600 feet north of Drury Road in the Third Election District, Tax Map 40, Block 19, Parcel 175.

Legal Ad published in The Enterprise 5/13/92 and 5/20/92.

This request is to change Mr. Hawes sewer category from "no planned service" to "service within three years at the developer's expense." Mr. Grimm advised this application went through the application process in effect in 1989 prior to HB 601. The Planning Commission reviewed the request but did not hold a public hearing because at that time it was not required. The Commissioners recommended deferral pending the comprehensive update of the Water/Sewer Plan; however, the application got lost in DPZ and was not brought to the County Commissioners' table.

Mr. Grimm advised Mr. Hawes has written a series of letters indicating his desire to reactivate the application and, following the County Commissioners' policy grandfathering projects which had applied prior to HB 601 from public requirements, the Planning Commission reviewed the request on April 27, 1992 and recommended approval per staff's recommendation and the five steps outlined in the Staff Report.

In January 1992 the Health Department completed a sanitary survey and the County Commissioners adopted a subsequent Resolution establishing priorities for allocation of capacity to the St. Clements Shores WWTP. Mr. Hawes' request is for service to new development, the lowest priority of allocation; however, in response to MetComm's request MDE has recalculated the flow of capacity of the plant, resulting in the availability of 60+ EDU's over and above the EDU's allocated for the Dock O' the Bay, Harbor View, and Combs Creek Marinas.

Commissioner Loffler explained that when we were utilizing the capacities of the plant there was a group of individuals who were willing to put in their own line to receive allocation, and the Ricketts were a part of that group. However, when the cost of running the line was determined to be significant everybody dropped out except the Ricketts, who subsequently applied for their own individual sewer amendment, stating they would pay for their own line. Had everybody agreed, and had the economies worked out, Commissioner Loffler said, there would have been a sewer line there. Since that time, Commissioner Loffler said, the Commissioners have passed out rulings restricting allocation.

Mr. Grimm displayed a map of the St. Clements Shores WWTP Service Area, the 1985 Record Plat establishing the two agricultural parcels of the Hawes property, and Lot 1 partitioned off from these two parcels, for which an allocation has been granted and which is currently being served by sewer. Commissioner Loffler asked if EDU's were requested for the agricultural parcels when the EDU was approved for Lot 1. Mr. Hawes replied they were.

Mr. Hawes said he was part of the group referred to by Commissioner Loffler every step of the way, until the cost got to be \$36,000 apiece to run the line. Mr. Hawes said it didn't make any sense for him to do that when he is closer to the plant and could run a pipe to his property for \$4,000. He said he lives right next door to Rosebank Village, and when Mr. Hall applied for service he contacted MetComm to see if he could hook on; MetComm said yes, and he ran the sewer line to his property.

Mr. Hawes said he doesn't remember if he officially turned down the line the group applied for but he believes he was affirmative right to the end, because he has letters stating the second survey resulting in only seven users at \$35,600 each; following that, the number of users dropped to zero.

Each time he applied, Mr. Hawes said, he was referred to MetComm, when MetComm does not have the authority to issue EDU's, it is the Planning Commission. He said he feels like he has been spinning his wheels for years, so he applied again in 1989 and at that time he was told there was no capacity in the plant. Now the capacity has been recalculated, he said, and he was told at the Planning Commission meeting that those who had their sewer plan completed would be issued EDU's, so he had a sewer plan done but when capacity became available he wasn't notified; in fact, MetComm didn't even have his name on the list, so he applied again when the marinas were issued EDU's and again he was forgotten.

Mr. Hawes said he has been doing the best he can without hiring lawyers, and he feels he should be allowed allocation as an individual.

Mr. Grimm said he believes the responsibility lies with DPZ; staff did not reactivate his application in 1989, when staff should have taken it back to the Planning Commission for review and recommendations to the Commissioners. When he became aware of that earlier this year, Mr. Grimm said he tried to correct it as soon as he could.

Commissioner Loffler opened the hearing to public comment.

Robert Joyner, who has also applied for allocations for new development, and who stated his property is within "close proximity" of the plant, charged that there is no procedure for applying for allocations and that requests are bounced back and forth from MetComm to the Planning Commission. Mr. Joyner stated he had written to the Commissioners asking that his request be deferred because he couldn't get insurance but now he is ready to go ahead, and asked what he can do to reactivate his request.

Mr. Grimm responded that the Joyner's request has been held in abeyance but he thinks it would now be appropriate to bring it back because of the additional capacity available. He stated under the new MDE calculation 475 EDU's were available, but 412 have been allocated and are being paid for, leaving a balance of 63 over and above the marinas, which have already been allocated. He stated DPZ has a current waiting list of the allocations requested and the capacity available, and said he would provide the Commissioners with the list for their review.

Commissioner Loffler closed the public portion of the hearing, advising Mr. Joyner to see Mr. Grimm after the meeting to activate his request and directed that this be brought back on next week's agenda. At that time the Commissioners will discuss the information provided by Mr. Grimm and come up with a game plan for action.

## 2) Floodplain Regulations

Legal ad published in The Enterprise on 5/13/92 and 5/20/92.

Mr. Grimm stated the updated Floodplain Regulations were scheduled to come forward with the 1992 Zoning Amendments, but staff is bringing them forward because state and federal authorities have indicated in their audits over the past two years that the updated regulations need to be enacted to keep the County current in the Flood Insurance Program. The proposed Regulations are essentially the Model Floodplain Ordinance reviewed and approved in preliminary form by the State and are a substantial modification over our old regulations, developed by a subcommittee appointed by the Planning Commission consisting of Hope Swann, Donnie Ocker, Paul Chesser, Mike Whitson, and Scot Kudlas of DPZ. The Regulations have been reviewed by local survey firms and reviewed and recommended for adoption by the Planning Commission.

The only comment received at the Planning Commission's hearing, Mr. Grimm said, related to the definition of streams. The modification requested by the surveyor who made that comment has been incorporated into the Regulations.

Mr. Grimm said staff has taken the FEMA (Federal Emergency Management Agency) Maps and transposed the delineations onto the tax maps to determine whether properties are in or out of the floodplain. If a building site is in the floodplain there are two options: (1) A surveyor's certificate is required certifying the first floor elevation is above the floodplain and that mechanical and electrical components are also above the floodplain; or (2) There is a lengthy process where an applicant can dispute the findings of the map, have it surveyed to show the actual extent of the 100 or 500 year flood as applicable and have the map amended through a process that takes about a year.

You can build in the floodplain, Mr. Grimm said, you can in certain circumstances subdivide in the tidal floodplain but not in the non-tidal floodplain, where flash-flooding of streams and tributaries is more likely. Construction of new structures in the 100 Year Floodplain must be certified to be one foot above flood elevation. Additions to existing structures that are so elevated are allowed as well, but a *substantial* improvement to an existing structure requires that the entire *structure* be elevated to one foot above the floodplain.

Commissioner Jarboe asked how applicants know they have to show it on their drawings. Mr. Grimm replied staff must make a determination as to whether the property and the building site is in the floodplain, and that is noted as a condition of their building permit. If there are circumstances where staff cannot determine whether the building site is in the floodplain, staff will require the surveyor's certification before the building permit is issued.

Commissioner Thompson asked about coastal or "high hazard" areas. Mr. Grimm replied those are not shown on these maps, but DPZ does have the official maps which do show those areas.

Commissioner Thompson asked staff's definition for "manufactured homes, and Mr. Grimm responded it is mobile homes or trailers.

Commissioner Loffler opened the hearing to public comment. As there were no comments, Commissioner Loffler closed the hearing, stating that a decision would be made in two weeks.

The public hearing concluded at 3:37 p.m.

7:00 P. M.

**Leonardtwn Commissioners  
Items of Mutual Interest**

Present: Jim Densford, Vice-President, Leonardtown Council  
Leon Battle, " "  
Norman Norris, " "  
Ruth Proffitt " "  
Wayne Vincent " "  
Travis Clark, Circuit Rider  
Joe Densford, County Attorney  
Dan Ichniowski, Director, Public Works

The Leonardtown Council appeared before the Commissioners to discuss items of mutual interest. Mr. Densford presented a document containing a description of several items which had been the subject of negotiations between the Town and County, a copy of which is on file in the Commissioners' Office. Mr. Densford pointed out that Leonardtown would like to continue to develop strong ties with the County.

Joint Accomplishments

- **Sheriff's Department Impound Lot**

Construction is complete

- **Town Run Sewer**

All issues have been resolved. All that remains is the signing of the transfer documents. Later in the meeting County Attorney Joe Densford reviewed the documents: (1) Assignment of Easement Agreements and Sewer Facilities -- In 1986 the County had acquired sewer line easements for the sewer line from the Town plant to the Governmental Center. Since facilities are within Town limits, the new document turns the easements and lines over to the Town. (2) Agreement for Reimbursement of Sewer Costs -- This document is a clarification of the 1986 Agreement between the Town and County regarding how charges are collected, accounted for and disbursed.

The Leonardtown Council will review the documents, sign or offer amendments and return them to the Commissioners for action.

- **Governmental Center Access Road**

The County has resolved the stormwater management issue. Mr. Ichniowski advised that he will continue to pursue getting the State Highway Administration to participate in cost of replacing the pipe on the property in front of the library.

- **Water Tower/Well Site**

The Town would like to work with the County in identifying a site at the Governmental Center for a well and for the eventual installation of a water tower.

- **Solid Waste Tipping Fee**

The Town appreciates the 13% rebate approved by the Commissioners.

- **Nursing Center**

The Town provided data to the Nursing Center on actual water usage to determine the number of EDU's that it should be charged for an increase in number of beds. The state recommended a 0.5 value and actual is 0.35/0.37, and impact and hook up fees have been adjusted.

- **St. Mary's Hospital**

Leonardtwn issued a \$1.5M bond for a hospital computer system.

- **Tudor Hall**

The Town appreciated the county providing funding towards the HVAC system.



Ongoing and Upcoming Issues

- Recycling

Leonardtown is currently exempt from the requirement to recycle 15% of total refuse; however the Town would like to participate with the County in this effort.

Mr. Densford requested a letter from the County formally giving permission to use the transfer station for disposing of recyclables.

The County Administrator suggested that the County could accept the Town's recyclables and the County would have the contract adjusted. Leonardtown is to have its contractor contact the County's contractor to work out arrangements.

- Courthouse Parking

Mr. Densford discussed the parking problems in Leonardtown, particularly in the Courthouse area during March and September when jurors are impaneled and when there are high profile jury trials. Leonardtown has formed a committee to address the parking problems.

Commissioner Jarboe suggested that a representative from the County be on the Committee.

Commissioner Loffler referred to a prior commitment by the Town for the provision of additional parking in the vicinity of the Courthouse. A copy of the drawing prepared by McCrone's will be provided to Leonardtown.

- Governmental Center Expansion Plans

Leonardtown would like to be involved when the detention center is expanded in order to allow planning for infrastructures.

- Sewage Sludge

The Town lagoons are filling up and the Metropolitan Commission has requested the Town to perform testing so that they can document the content of the sludge. The Town will be working with the County, Metropolitan Commission and State to develop appropriate plans for disposing of sludge, and will be looking at having "clean" sludge for farm application.

- Governmental Water Supply

Leonardtown recommended the addition of an eight-inch line along new access road in order to prevent single point failure.

Mr. Ichniowski suggested looking at timing of well, and if new well is selected that it be tentatively located behind the fuel facility. He stated that it could be the site for a new line instead of off the Town six-inch line. The Department of Public Works will work with Leonardtown on this issue.

- Academic Center

Leonardtown would like the Commissioners to consider Leonardtown as a site for an academic center (Johns Hopkins, University of Maryland, community college). Mr. Densford indicated that Leonardtown is an ideal location because infrastructures are in place and because of its close proximity to county government.

The Commissioners invited the Leonardtown Council to attend a meeting on higher education on Thursday, June 4 at 1:00 p.m.

Tax Rate Differential

The Town appreciated the full funding of tax differential.

In conclusion County Administrator Cox advised the Director of Finance Wade will be the point of contact for the 13% solid waste fee as well as the differential. Both items will be negotiated between the Town's Comptroller and the Director of Finance and brought back to both Boards for approval.

#### PUBLIC FORUM

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

**Donald DeGraves** - Questioned the methods by which the Softball Hall of Fame would be raising money to repay the loan from the County, and specifically whether there would be the selling and drinking of alcoholic beverages as part of the fund raising. He stated that Use of Diamond Permit and Use of Pavilion Permit do not permit drinking in open space. He suggested that the county post signs in the parks indicating that no drinking is allowed.

The Commissioners advised that fund raising activities include raffles and a music festival, and that the pavilions are leased out for private parties, which may include drinking of alcoholic beverages. County Administrator Cox advised that selling of alcohol is allowed through the Alcoholic Beverage permitting process.

The Commissioners thanked Mr. DeGraves for his concern requesting that he submit for comments in writing so that they could properly address them, and indicating that they would look into a policy addressing this issue.

**Melva Dement Abell and Mary Dement Doherty** (Representing citizens from Wildewood and St. Andrews Estates) - Concerned about the proposed rubble landfill to be located adjacent to St. Mary's Disposal on St. Andrews Church Road. They are concerned about the noise from the expected 100 trucks a day, dust, odor from hydrogen sulphide, decreased land values, pollution of waterways. Mrs. Abell stated that they will be requesting the Planning Commission to reject the RPD request (Maryland Bank and Trust property).

Commissioner Loffler advised that the rezoning would come before the Commissioners; however, the request for a rubble landfill would go before the Board of Appeals.

**Stuart Stone** - Expressed opposition to the Board of Education's School Redistricting Plan which calls for the moving of 19 children from Leonardtown Elementary to Banneker. He referred to empty student spaces at other schools and also the fact that students from Leonardtown would not be moved until the Hollywood Elementary School was completed. Mr. Stone presented a petition with 95 signatures requesting "the reversal of the redistricting plan of the children of Route 243." The petition states that "the Board of Education has yet to prove the benefit to the children or any cost savings that will be gained by moving these children."

**Joe Nicewarner, Supervisor of Transportation** - Advised that Mr. Stone's figures do not correspond with the Board of Education's figures, and that there will be at least 30 students moving to Banneker from Leonardtown. He further pointed out that there may be wrong spaces at the wrong places, but the Committee had to deal in reality, and that the Board of Education had to make adjustments with the least amount of disruption to the community.

In response to an inquiry from Commissioner Jarboe, Mr. Nicewarner advised that statistics for counting students was based on busloads and not from home residences.

Commissioner Jarboe pointed out that there had been poor planning regarding the Dynard addition and that should have been an addition to Mechanicsville School.

**Cheryl Ciecke, President, Leonardtown Elementary PTA** - Expressed opposition to the Redistricting Plan as it relates to the moving of children from Leonardtown to Banneker.

**Vernon Gray, Chairman, Alliance for Concerned Taxpayers** - Stated that the Commissioners did not adhere to the 96% of FY '92 for the FY '93 Budget. Mr. Gray read from the MACo Courthouse News regarding the Department of Fiscal Services' statement that the income tax projections for FY '92 and FY '93 are overstated and that state budget problems arising from these estimates will impact local governments. He cautioned the Commissioners to be conservative in their spending.

**Karen Bustard, President, Little League** - Expressed concern about the use and sale of alcoholic beverages at public parks and requested that signs be posted that drinking is not allowed.

**Donald DeGraves** - Stated he did not agree that there was poor planning for Dynard and stated that there was no room for an addition at Mechanicsville. He mentioned the situation that happened in Country Lakes where the development was divided into two school districts because land that had been promised for a school did not materialize.

Commissioner Loffler stated that the land was not adequate for a school site and the County had to return it; however, the County has developed an Economic Impact Fee so that schools can be placed where needed.

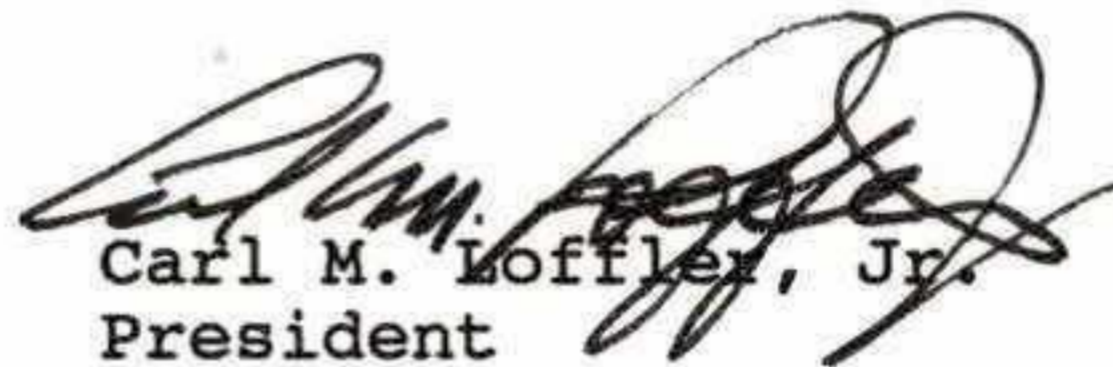
**Minnie Russell** - Referred to article in the Today Newspaper regarding a man apologizing in a Board of Appeals hearing for breaking laws in order to provide housing for his elderly mother. She stated that she had raised an issue a year and a half ago that she hoped that children could provide assistance to their parents.

The Commissioners pointed out that St. Mary's County was very liberal in allowing accessory apartments for family members as long as fees are paid and there is adequate setback.

**ADJOURNMENT**

The meeting adjourned at 9:25 p.m.

**APPROVED,**

  
Carl M. Loffler, Jr.  
President

