

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

April 13, 1993

**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 Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, April 6, 1993. 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.

**NAVY ALLIANCE**

**Present:** Joe Mitchell, Director, DECD  
J. Frank Raley, Southern Maryland Navy Alliance

The referenced individuals appeared before the Commissioners to explain the Southern Maryland Navy Alliance's efforts regarding recently announced base closures and consolidations and to discuss the impacts, positive and negative, on St. Mary's County. Mr. Mitchell referred to the upcoming appearance of the Navy Alliance before the Base Closure Commission at a hearing next week and pointed out that the Alliance has been working to assess the impact and to encourage officials in retaining the County's assets.

Mr. Raley indicated that some of the programs at NESEA will be retained (including AEGIS) and additional projects will be relocated to Patuxent River. He pointed out that the Alliance's strategy to support NESEA and the new programs had to be revised in order to not create a conflict in position. Mr. Raley advised that there has been opposition from Northern Virginia regarding relocation to Patuxent River, and the County must be able to provide infrastructure to support the additional projects. He noted that the County has shown leadership in this area with the following projects: higher education facility, community college site, and planning efforts through Tri-County Council.

In closing Commissioner Loffler suggested that the Alliance carry a message to the Base Closure Committee that the economics of NESEA be reviewed as well as cost effectiveness.

Mr. Raley advised that the Alliance will keep the Commissioners apprised of the status of base closures.

**COUNTY ADMINISTRATOR ITEMS**

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

**1) Response Letters - FERST Landfill of St. Mary's**

The County Administrator presented the following response letters for the Commissioners' review and signatures:

- o To Alexis Schaefer responding to February 28 correspondence regarding FERST landfill. The return letters explains the issuance of the permit by MDE and addressed her traffic concerns on Md. Rt. 6. As requested by the Commissioners at last week's meeting, the County Administrator presented a memorandum dated April 12

indicating that legislation from the 30's and 40's gave the county commissioners authority to provide transportation to private schools and does not distinguish among non-public school students.

- o To Hollywood Lions Club explaining the issuance of the permit by MDE.

The Commissioners agreed to sign and forward the letters as presented.

## 2) Starmaker Learning Center

As a follow up to last week's discussion the County Administrator presented correspondence in response to Donna Mohwinkel's letter regarding a request for non-public school bus transportation service to the Starmaker Learning Center. The response letter indicates the county's willingness to accommodate the Center's transportation needs, but requests a clearer definition of the Center's transportation needs.

The Commissioners agreed to sign and forward the letter.

## 3) Budget Amendments

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

### No. 93-44

#### Department of Social Services

Justification: Burial Assistance (4) - \$3,290

### No. 93-47

#### State's Attorney

Justification: Additional funds for prosecution of pending major criminal cases. (\$5,000)

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

## 4) Health Department

### **FY '93 Local Funds Certification**

The County Administrator presented copies of the Fiscal Year 1993 funding agreement between the Department of Health and Mental Hygiene and St. Mary's County for Local Health Services. The Agreement indicates that the County has met the state's case formula requirements for the Health Department.

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

## 5) Thiokol Corporation

As a follow up to the presentation by a representative of Thiokol on April 6, the County Administrator presented correspondence addressed to the Waste Management Administration, Maryland Department of Environment requesting the status of the permit applied for by Thiokol in December.

The Commissioners agreed to sign and forward the letter as presented.

## 6) Clearinghouse Projects

The County Administrator presented the following clearinghouse projects for the Commissioners' review and recommended that they be forwarded to the State with the comment that the projects are consistent with the County's plans, programs, and objectives.

**No. MD930406-0300**  
**Chesapeake Bay National Estuarine**

**No. MD930226-0185**  
**Forrest Heights Sewage Collection System**

**No. MD930316-0237**  
**Final EIS - Base Realignment Naval Air Warfare Center**

The Commissioners gave their concurrence.

**7) St. Mary's County Low-Rent Public Housing**

The County Administrator presented correspondence addressed to the U.S. Department of Housing and Urban Development supporting the Housing Authority's request to amend the initial proposal for the referenced low-rent public housing project. The revision supports the Housing Authority's decision to reduce the overall density of public housing at Holland Forrest Landing from 50 to 32 and to dedicate 18 units on the proposed second site at Dakota Place in Lexington Park for homeownership opportunities.

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

**8) Marvin Franzen - Response Correspondence**

The County Administrator presented correspondence responding to Marvin Franzen's dated March 8 regarding the housing situation in Lexington Park and specifically the Courtyard at Great Mills project. The return letter explained the financing of the project

The Commissioners agreed to sign and forward the letter as presented.

**8) Homeless Services Program  
Letter of Intent**

The County Administrator presented a Letter of Intent to Participate in the Homeless Services Program, administered by the Department of Social Services, to be returned to the Department of Human Resources, Community Services Administration. Once the Letter of Intent is received by DHR an application for funds will be forwarded to the County for completion and return.

**Commissioner Lancaster moved, seconded by Commissioner Thompson, to authorize Commissioner Loffler to sign the Letter of Intent as presented. Motion carried.**

**9) Park Maintenance Functions  
Appointment of Standing**

The County Administrator presented a memorandum dated April 6 from the Director of Recreation and Parks requesting the appointment of a standing committee to study the feasibility of contracting park maintenance functions. Mr. Rollins recommended the appointment of the following individuals: Marty Jones (Finance); Bill Ball and Phil Rollins (Recreation and Parks); Jim Haley (Procurement); and George Jarboe (Public Works).

**Commissioner Thompson moved, seconded by Commissioner Jarboe, to appoint the referenced individuals as recommended. Motion carried.**

**10) Aid to Local Governments**

The County Administrator presented a memorandum dated April 12 from the Director of Finance attaching the list of changes in Fiscal Year 1994 Aid to Local Government. The memo indicates that the \$2,566,000 increase over 1993 is measured from the reduced level in FY '93 (after the social security cut).

**11) Appointments**  
**Family Assistance Center Advisory Committee**

Commissioner Thompson moved, seconded by Commissioner Bailey, and motion carried to appoint the following individuals to the Family Assistance Center Advisory Committee with terms as indicated:

Susan Joyce	12/31/95
Arlene L. Rodriguez	12/31/95
Janice T. Walthour	12/31/95

**PROCLAMATION**  
**MEDICAL LABORATORY WEEK**

Present: Betsy Wigginton

The Commissioners presented the referenced Proclamation designating the week of April 11 - 17, 1993 as Medical Laboratory Week.

**PROCLAMATION**  
**ENVIRONMENTAL AWARENESS WEEK**

Present: Mary Ann Chasen  
Nancy Paige Smith  
Charlotte Ashby

The Commissioners presented the referenced Proclamation designating the week of April 18 - 24, 1993 as Environmental Awareness Week.

**ANNUAL REPORT**  
**METROPOLITAN COMMISSION**

Present: Larry Petty, Director  
Steve King, Deputy Director  
Frances Eagan, Chairperson  
Francis Williams, Member

The referenced individuals appeared before the Commissioners to present the 1992 Annual Report of the Metropolitan Commission. Mr. Petty reviewed the purpose of the Commission and pointed out significant activities of 1992 including: Tin Top Hill project completion, Tall Timbers Sewerage Project, lead and copper testing, revised standard specifications for water and sewer construction, etc.

Mr. King explained the safe drinking water act and advised that the program for testing the water involved customers taking samples for MetComm. The samples were analyzed and none had detectable levels of lead; one had a small trace of copper.

By way of charts Mr. King demonstrated the Pine Hill Run Wastewater Treatment Plant flow versus rainfall for the month of September 1992; average daily flows and rainfall daily flows for September 7, 1992.

A copy of the report is on file in the Commissioners' Office.

**OFFICE ON AGING**  
**MEDICAL ADULT DAY CARE GRANT**

Present: Gene Carter, Director  
Carol Wells, OOA

Mr. Carter appeared before the Commissioners to request approval of the budget for the Medical Adult Day Care Grant for Fiscal Year 1994. He pointed out that the budget is under the assumption that the Office on Aging is operating an additional day care center in the same configuration as in past years; however, because of decreased enrollment the configuration may be changed in order for the center to operate in a self-supporting manner. Mr. Carter advised that if enrollments do not increase, he would return to the Commissioners with a new configuration with the closing of one center and the operating of one center.

After discussion Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Medical Adult Day Care Grant for Fiscal Year 1994 recognizing the fact that Mr. Carter may return with a new configuration for the operation of the program. Motion carried.

#### **MIDDLE DEPARTMENT INSPECTION AGENCY STATUS REPORT**

Present: Robert Smith, Chief Inspector, MDIA

Mr. Smith appeared before the Commissioners to present a status report on MDIA's activities and enhancement to services. Mr. Smith's report included the following:

- o Relocation of facilities on Route 5 in Charlotte Hall;
- o Promotion of Mr. Smith to Chief Inspector;
- o Increase in staff;
- o Installation of toll free number;
- o Additional fleet of vehicles;
- o Computerization;
- o Addition of plan review department;
- o Agreement with AT&T for rerouting of calls in case of a disaster;
- o Attendance at monthly meetings with county staff;
- o Building Code training sessions;

During discussion Mr. Smith advised that MDIA was interested in negotiating a new expanded contract with the County and pointed out that MDIA has a proposal for a complete municipal program which includes MDIA performing all necessary plan reviews, administration, consultation and inspections. Commissioner Jarboe requested that Mr. Smith provide the Commissioners with a copy of the proposal for the Commissioners' consideration.

#### **ACCOMMODATIONS TAX REQUEST FOR TEMPORARY WAIVER**

Present: Tom Waring, owner, Patuxent Inn  
Joe Mitchell, Director, DECD

Mr. Waring appeared before the Commissioners to request the Commissioners' consideration to temporarily waive the county's 5% Accommodations Tax. He stated that the recently adopted federal per diem reduced the rate in St. Mary's County from \$54 to \$44; however, Calvert County was increased from \$54 to \$58. He stated that this did not allow him to compete and was detrimental to his business. Mr. Waring indicated that 77% of his business is government related and stated that the Patuxent Inn has grossed approximately \$35,000 less than at the same time in 1992.

Mr. Waring requested the waiver until such time as the economy improves or until the present per diem rate is changed by Congress.

The Commissioners agreed to contact Congressman Hoyer to determine if a mistake had been made in the per diem rate prior to making a decision on the waiver request.

#### **LENGTH OF SERVICE AWARDS**

The Board of County Commissioners presented the following Length of Service Awards to county employees:

##### **30 Years**

Katherine D'Esposito

##### **25 Years**

Rebecca Norris  
Norman Pilkerton, Jr.

##### **20 Years**

Phillip Cooper  
Edward V. Cox  
Catherine Mattingly  
Judith A. Spalding

15 Years

Rose M. Buckler  
Claude Clarke  
Laura Clarke  
Robert C. Cooper  
Robert L. Hall  
Michael E. Humphries

Daniel Ichniowski  
Patricia Insley  
George Kramer  
Gloria LeDonne  
Evaughn C. Lennon  
Dorothy M. Russell

William E. Rustin  
Lestremayne Stewart  
Oliver D. Stewart  
John O. Thompson  
Rose M. Thompson  
Shirley L. Wood  
Dorothy P. Yates

**ALCOHOL AND DRUG ABUSE PREVENTION GRANT**

Present: Walter Biscoe, Prevention Coordinator

Mr. Biscoe appeared before the Commissioners to present and request approval for the Fiscal Year 1994 Alcohol and Drug Abuse Prevention Grant in the amount of \$81,332. The purpose of the grant is for programs and services directed specifically toward community empowerment, children and youth, and the elderly and represents a continuation and strengthening of the prevention program.

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

**FIRST DISTRICT VAN TOUR**

The Commissioners left at 12:30 p.m. to take a van tour of various projects in the First Commissioner District.

**EXECUTIVE SESSION**

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of Litigation (The Skydiving Center) as provided in Article 24, Section 4-210(a)8. Motion carried.

**Litigation**

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner Robert T. Jarboe  
Commissioner John G. Lancaster  
Commissioner Barbara R. Thompson  
Edward V. Cox, County Administrator  
Joseph R. Densford, County Attorney  
William Chen, Attorney, LGIT  
Judith A. Spalding, Recorder

Authority: Article 24, Section 4-210(a)8

Topic: Litigation - Skydiving Center

Time Held: 4:28 p.m. - 5:28 p.m.

Action Taken: Attorney Chen brought the Commissioners up to date relative to The Skydiving Center litigation

**ADJOURNMENT**

The meeting adjourned at 5:20 p.m.

Minutes Approved by Board of  
County Commissioners on 7/20/93

*Judith A. Spalding*  
Recording Secretary