

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
JULY 20, 1993**

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
Judith A. Spalding, Recording Secretary

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

APPROVAL OF MINUTES

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, July 13, 1993. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Citizen Advisors' Appreciation Night**

The County Administrator presented a letter of appreciation to be included in the program for Citizen Advisors' Appreciation Night.

The Commissioners agreed to sign the letter as presented.

2) **Tri-County Council - Request for Additional Funds**

As a follow up to previous discussions the County Administrator reminded the Commissioners of their letter of June 30 to Tri-County Council approving \$2,304 of the \$8,820 additional funding requested by TCC. The \$2,304 was for step increases and related fringe, but not the reclassifications.

At last week's meeting (July 13) the Commissioners discussed the funding for salary adjustments for the Agriculture Specialist and Economic Development Specialist. Commissioner Jarboe's motion of last week to fund the \$8,820 less reclassifications (\$6,632) and included the salary adjustments for the two positions, was postponed in order to allow staff to develop specific amounts.

During discussion of the funding of the two positions in the amount requested by Tri-County Council, Mr. Cox pointed out that the Agricultural Specialist position has not yet been filled and that if the Commissioners approve the funding, the amount should be adjusted accordingly. He further advised that there was a possibility the State funded the Economic Development position and suggested that the Commissioners may want to defer a decision until next week to see if the State provided the funding.

Discussion ensued whether to defer a decision on TCC's request for funding (\$5,665), and Commissioner Loffler suggested that the funding be reduced by 1/12 because the position has not been filled.

After discussion Commissioner Jarboe renewed his motion to fund the \$8,820 (less reclassifications) including funding for the Agricultural Specialist and Economic Development Specialist as requested by Tri-County Council. Motion carried three to two with Commissioners Loffler and Thompson voting against.

3) **Job Training Partnership Act
Title III Modification**

The County Administrator presented Grant Modification No. 002 to the Southern Maryland Fiscal Year 1993 Job Training Partnership which adds the incentive money (\$24,104) for exceeding SDA performance standards and requested the Commissioners' authorization for Commissioner Loffler to sign the Statement of Concurrence.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Statement of Concurrence as presented. Motion carried.

4) **Clearinghouse Project No. MD 930713-0672
Section 106 Water Quality Planning and Management
Potomac River Basin**

The County Administrator presented the referenced clearinghouse project and recommended that it be forwarded to the State with the comment that it is consistent with the County's plans, programs, and objectives.

The Commissioners gave their concurrence.

5) **Resolutions
Critical Area Growth Allocations**

On behalf of the Department of Planning and Zoning, the County Administrator presented the following Critical Growth Allocation Resolutions for the Commissioners' review and consideration:

**Z93-06
Maydell Manor Minor Subdivision
ISUB#92-113**

Granting Application by the Cryer Company for critical area growth allocation review of a four-lot minor subdivision to change the overlay classification from Resource Conservation Area (RCA) to Limited Development (LDA) through the use of 6 acres of growth allocation, located within the Critical Area, off of Md. Rte. 244 on Breton Beach Road, Third Election District, Tax map 48, Block 15, Part of Parcel 16.

**Z93-07
McGuyre's Subdivision
ISUB# 91-0429**

Granting Application by Thomas A. McGuyre for critical area growth allocation review of a single lot subdivision for a change of overlay classification from Resource Conservation Area (RCA) to Limited Development Area (LDA) through the use of 1.5 acres of growth allocation, located in the Third Election District, Tax Map 39, Block 18, Parcel 127.

Z93-08

Calvert Estates and Chesapeake Industrial Park

Granting application by Philip H. Dorsey, III and Maryland Capital Corporation for critical area growth allocation review of a mixed residential and industrial use project for a change in overlay classification from Limited Development Area (LDA) to Intensely Developed Area (IDA) through the use of 9.25 acres of growth allocation, located in the Third Election District, south of Route 5, between Cedar Lane and Gregory Road, Tax Map 40, Parcels 52,57 and 113.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign the referenced Critical Area Growth Allocation Resolutions as presented. Motion carried.

6) Budget Amendments

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

No. 94-3

Various Spending Units

Justification: To provide budget authority to departments based on encumbrances unliquidated at year end (\$6,422,579)

No. 94-4

State's Attorney

Justification: Additional funds for reclassifications approved by Board of County Commissioners on July 13, 1993 (\$2,857)

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign Budget Amendment Nos. 94-3 and 94-4. Motion carried.

No. 94-5

St. Mary's County Public Schools

Justification: To provide additional funds to cover cost of bids over allocated budget (Lexington Park Elementary School Roof Replacement from New Hollywood Elementary School Construction Account) - \$58,000

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

7) Appointments - Boards, Committees, Commissions

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

Community College Building Committee

George A. Bailey
Gay Scott Boecker
Elizabeth Dufresne
Edward Fitzgerald
Charlotte Young

Terms to Expire

No Term
No Term
No Term
No Term
No Term

Family Assistance Center Advisory Committee

Anette Jackman

12/31/95

8) Maryland Tourism Development Board

The County Administrator presented correspondence addressed to Governor Schaefer recommending the appointment of Cheryl Ahern to the Maryland Tourism Development Board and Advisory Committee on Tourism as recommended by the St. Mary's County Tourism Advisory Committee.

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

9) Emergency Food Assistance Program

The County Administrator presented an Agreement between the Maryland State Department of Human Resources, St. Mary's County Commissioners and Tri-County Community Action Committee for the Distribution of Commodities and Funds for the Emergency Food Assistance Program.

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

**ST. MARY'S PUBLIC SCHOOLS
MARYLAND HIGH SCHOOL SCIENCE PROJECT GRANT APPLICATION**

Present: Ed Fitzgerald, Assistant Superintendent for Administration

Mr. Fitzgerald appeared before the Commissioners to present a grant proposal to be submitted to the Maryland Interagency for School construction for the "Look For the Future: Maryland High School Science Facilities" grant project. Funds have been made available to 10 - 20 projects throughout the state for the improvement of science education in Maryland.

Mr. Fitzgerald advised that the St. Mary's Board of Education is requesting the Commissioners' approval for the submission of the following project: renovation of a classroom at Chopticon High School into a science laboratory for Physics, Earth/Space Science and Principles of Technology. Total cost of the project is estimated at \$70,000, with \$24,500 local share, which will require a budget amendment.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe to approve and authorize Commissioner Loffler to sign the grant proposal for the "Look For the Future: Maryland High School Science Facilities" project for St. Mary's County, Budget Amendment No. 94-6 transferring \$24,500 to the Chopticon High School Lab Renovation Account, and further authorizing Commissioner Loffler to sign correspondence to the Interagency Committee on School Construction submitting the proposal. Motion carried.

COUNTY COMMISSIONERS' TIME

Adam T. Wible Memorial Building

Commissioner Bailey expressed appreciation to those who attended the dedication of the Adam T. Wible Memorial Building in Avenue which will be used to house a supply of medical equipment as well as maintenance and repair of the equipment.

**PROCLAMATION
AMERICANS WITH DISABILITIES WEEK**

The Commissioners presented a Proclamation designating the week of July 26 as Americans with Disabilities Week.

EXECUTIVE SESSIONS

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Sessions to discuss Property Acquisition (Maryland Bank & Trust Property and Colton's Point), as provided for in Article 24, Section 4-210(a)11; Personnel (Sheriff's Department and Grievance), as provided for in Article 24, Section 4-210(a)1; and Litigation (The Skydiving Center), as provided for in Article 24, Section 4-210(a)8. Motion carried.

Property Acquisition

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
Joe Densford, County Attorney
Dan Ichniowski, Director, Public Works
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition (Maryland Bank & Trust Company Property)
Time Held: 10:25 a.m. - 10:55 a.m.

Action Taken: The Commissioners reviewed confidential correspondence and requested Mr. Cox and Mr. Ichniowski to proceed as directed.

Property Acquisition

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
Phil Rollins, Director, Recreation and Parks
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11
Topic: Property Acquisition (Colton's Point)
Time Held: 10:58 a.m. - 11:05 a.m.

Action Taken: The Commissioners reviewed confidential correspondence from the Director of Recreation and Parks and agreed to take formal action at next week's meeting.

Personnel

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
Sheriff Wayne Pettit
Barbara Dotson, Fiscal Specialist
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1
Topic: Personnel (Sheriff's Department)
Time Held: 11:10 a.m. - 11:35 a.m.

Action Taken: The Commissioners reviewed the Sheriff's request and indicated they would make a formal decision next.

Personnel

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Charles Wade, Director of Finance
George Foster, Personnel Officer
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1
Topic: Personnel (Grievance)
Time Held: 11:40 a.m. - 12:35 p.m.

Action Taken: The Commissioners discussed the Grievance Board's findings and requested additional information from the Personnel Officer.

**APPLIED COMPUTER SYSTEMS, LTD.
LAND MANAGEMENT SYSTEM PROPOSAL**

Present: Arnold Greenspan, President, ACSL
Selig Solomon, Vice-President
Aurelio Azpiazu, CITEC, Inc.

Also Present: Joe Densford, County Attorney; Jon Grimm, Director, Planning and Zoning; Dan Ichniowski, Director, Department of Public Works; Charles Wade, Director of Finance; George Erichson, DPW; Jim Haley, Procurement Officer; Ray Alvey, DPZ; Jeff Jackman, DPZ; Mary Pat Pope, Administrative Officer.

The referenced representatives of ACSL and CITEC appeared before the Commissioners to present a proposal for a land management system for St. Mary's County. Mr. Solomon advised that the system would provide a means for agencies to access information, improve productivity, and generate revenues. He stated that ACSL would acquire and install the system at no cost to the County. The County would establish a schedule of fees, establish liaison and obtain required approvals from county and state offices. Users would consist of title search companies, law firms, banks, mortgage companies, utilities, architects, real estate companies, etc.

During his presentation Mr. Solomon presented the time schedule indicating that the full system would be in operation in one year. He further described the anticipated revenue streams and operating revenue distribution between ACSL and the County.

In conclusion the Commissioners thanked the representatives of ACSL and CITEC for their presentation and indicated they will give consideration to the proposal at a later meeting.

**FARMERS MARKET
RIBBON CUTTING CEREMONY**

The Commissioners left to attend the ribbon cutting ceremony for the official opening of the Farmers' Market behind the Chevron Station at the Corner of Millstone Landing Road and Rte. 235.

EXECUTIVE SESSION

(Authority for Executive Session given in motion earlier in the meeting.)

(Because of the farmers' market dedication and a meeting on the Naval Air Station the Commissioners conducted the Executive Session at Commissioner Loffler's Office in the Esperanza Shopping Center.)

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
Charles Wade, Director of Finance
David Funk, Attorney for LGIT
William Chen, Attorney, LGIT

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

Topic: Litigation - The Skydiving Center

Time Held: 4:05 p.m. - 5:30 p.m.

Action Taken: Attorneys Chen and Funk updated the Commissioners on the referenced legal matter and discussed alternatives. The Commissioners gave direction regarding the case.

ADJOURNMENT

The meeting adjourned at 5:30 p.m.

Minutes Approved by Board of
County Commissioners on 7/27/93

Judith A. Spalding
Recording Secretary