

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

OCTOBER 5, 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

(Commissioner Loffler was not present at the beginning of the meeting.)

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, September 28, 1993. 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.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Applied Computer Systems, Ltd
Response Letter**

The County Administrator advised the Commissioners that Applied Computer Systems Limited made a presentation in June regarding an automated land records system in response to a proposal received from ACSL. After several meetings and a review of the proposal, staff recommended that the Commissioners forward correspondence thanking ACSL for the opportunity to consider the proposal; however, it would not be in the County's best interest at this time to proceed with this project. Therefore, Mr. Cox presented a letter addressed to ACSL as recommended.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to sign and forward the letter as presented.

2) **Emergency and Transitional Housing Services Program**

The County Administrator presented the Fiscal Year 1994 Contract for the referenced Emergency and Transitional Housing Services Program in the amount of \$58,000 which is administered by the Department of Social Services in cooperation with Walden Sierra which provides temporary housing for victims of domestic violence.

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

3) **Charles County Community College**

The County Administrator advised the Commissioners that the Board had approved in August 1993 revisions to the Community College Contract. The revisions were submitted to the Board of Trustees and all but one revision was approved. The remaining item of concern is the wording of the paragraph pertaining to the establishment of the St. Mary's County board. The paragraph reads "Whereas, the County Commissioners wish to establish the Board for the Community College at St. Mary's, . . .," and the Board of Trustees requests the paragraph to read "Whereas, the County Commissioners wish to establish an advisory board for the Community College at St. Mary's."

(Commissioner Loffler entered the meeting - 9:25 a.m.)

Mr. Cox recommended that the Commissioners approve the request by the Board of Trustees.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve the request by the Community College Board of Trustees as presented. Motion carried.

4) **Southern Maryland Navy Alliance
Request for Matching Funds**

The County Administrator presented correspondence responding to the Southern Maryland Navy Alliance's request of September 28 for the county's renewed membership of \$25,000 matching funds. The return letter indicates the county's willingness to commit these funds if the Alliance would give assurance of a match from other sources of at least \$50,000.

The Commissioners agreed to defer a decision on the letter until next week's meeting.

5) **Response Letter
Drunk Driver Concerns**

The County Administrator presented correspondence responding to September 1 letter from Ms. Celia Collier regarding drunk drivers. The return letter outlines prevention programs in the County and points out the law enforcement agencies' efforts.

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

6) **Appointments
Boards, Committees, Commissions**

Commissioner Bailey moved, seconded by Commissioner Lancaster, and motion carried four to one, with Commissioner Thompson voting against, to make the following appointments:

<u>Coastal Resource Advisory Committee</u>	<u>Terms to Expire</u>
Kathleen McManus	12/31/94/96
<u>Commission for Disabled</u>	
Janet Andrews	12/31/94/98
<u>Southern Maryland Wood Treatment Plant Task Force</u>	
Sesh Lal	No Term
<u>Zoning Board of Appeals</u>	
Charles Newkirk (2nd Alternate)	12/31/95/99

PROCLAMATIONS

The County Commissioners presented the following Proclamations:

National Crime Prevention Month

Present: Lt. Phil Cooper
Deputy Burris

Designating the Month of October as National Crime Prevention Month.

National Breast Cancer Awareness Month

Present: Dr. William Marek
Nancy Luginbill

Designating the Month of October as National Breast Cancer Awareness Month and October 19 as Mammography Day.

911 ADDRESSING SYSTEM

Present: Paul Wible, Director, EMA
Debbie Settle, 911 Addressing Technician
Lt. Phil Cooper
Harry Kohler
Mary Pat Pope

The referenced representatives of the 911 Addressing System Task Force appeared before the Commissioners to present a status report on the addressing system. Mr. Wible explained the process of gathering information for each election district including the mapping and the designation of those streets needing name changes. The information is given to the Task Force. The first public meeting was held September 15 in the First District and the next one will be held in the Second District in Valley Lee with meetings in the other districts to follow. After the first of the year public hearings will be scheduled for the naming and renaming of roads in the county. Mr. Wible pointed out that the Public Relations Subcommittee will provide notification of the hearings through the media.

The Commissioners thanked the 911 Addressing Task Force representatives for their continuing efforts on this project.

ECONOMIC DEVELOPMENT COMMISSION/ SOUTHERN MARYLAND BUILDING ASSOCIATION, INC.

Present: F. Elliott Burch, Jr., Chair, EDC
Joe Gough, "
Joe Daley, "
Bill MeHaffey, SMBIA
Pete Breck, "

The referenced individuals appeared before the Commissioners to discuss the possibility of a contract proposal for review of the county's development and approval process. Mr. Gough indicated that the Commissioners on March 23 had requested the Economic Development Commission's assistance in the development of recommendations for the improvement of the permit process. After six months of deliberations and working with the SMBIA, the EDC recommends that the County issue a Request for Proposal (RFP) for the hiring of a consultant to review the subdivision, site plan, inspection, bonding, and permit process. The goal would be not to change any laws, but to improve the process to make it more "user friendly" and to hopefully eliminate some of the criticisms by the public. In order to identify problem areas, the contractor would meet with various key groups (Planning Commission, Metropolitan Commission, Environmental Health, etc.) including the general public through exit interviews.

During discussion of whether to hire a consultant, the Commissioners made the following points:

- o Commissioner Thompson suggested that the charge be more specific as to particular problem areas.
- o Commissioner Bailey suggested that the EDC be on the list of key agencies the contractor would work with. He also suggested that consideration be given to a "One Stop Shop" as has been discussed in the past.
- o Commissioner Loffler suggested that the EDC and the Department of Economic & Community Development provide oversight to the consultant.
- o Commissioner Jarboe pointed out several problem areas including obtaining Occupancy Permits.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to issue an RFP to hire a consultant as recommended.

Commissioner Loffler requested additional time in order to allow staff time to review the document and make recommendations.

Commissioner Jarboe moved, seconded by Commissioner Bailey, to defer the motion until next week. Motion carried.

DEPARTMENT OF PUBLIC WORKS ADDENDA TO PUBLIC WORKS AGREEMENTS

Present: Dan Ichniowski, Director

Mr. Ichniowski presented the following addenda to public works agreements for the Commissioners review and consideration:

Cox's Run

Between Joan Burroughs c/o Benjamin H. Burroughs, Jr. and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to September 1, 1994. The Addendum is backed by a Letter of Credit in the reduced amount of \$10,000 with First National Bank of St. Mary's.

Stallman Subdivision, Section 3

Between Great Mills Construction Company, Inc. and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to October 1, 1994. The Addendum is backed by a Letter of Credit in the amount of \$80,000 with International Fidelity Insurance Company.

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

FISCAL YEAR 1994 CAPITAL IMPROVEMENT PLAN

Present: Dan Ichniowski, Director, DPW
Charles Wade, Director of Finance

Mr. Ichniowski and Mr. Wade appeared before the Commissioners to present a status report on the Capital Improvement Projects for Fiscal Year 1994. Mr. Ichniowski presented a handout setting for engineering, highway, solid waste, and marine projects giving their priorities, estimated budget amounts and calendar for phases of the projects. Also presented were: Six-Year Summary of the CIP setting forth financing method, estimated costs, and break down of costs for each fiscal year; and a list of county projects showing the balance of funds as of September 30, 1993, source of funding (bonds or other), unfunded status, and the projected fund balance as of June 1994.

EXECUTIVE SESSION

Commissioner Lancaster moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss matters of Litigation, 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 Densford, County Attorney
Dan Ichniowski, Director, Public Works
Charles Wade, Director of Finance
Mary Pat Pope, Administrative Officer
David Seeman, Chair, Airport Commission
Judith A. Spalding, Recording Secretary

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

Topic: Litigation - St. Mary's County Airport

Time Held: 11:50 a.m. - 12:42 p.m.

(Commissioner Loffler left at 11:55 a.m. because of possible conflict of interest.)

Action Taken: The County Attorney presented the terms of settlement for the skydivers litigation and explained the required next steps for the establishment of rules and regulations which are subject to litigation and, therefore, require legal/technical assistance. The Commissioners reviewed possible litigation strategies and indicated they would further discussion this matter at next week's meeting.

STAFF MEETING

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

ST. ANDREWS TRANSFER STATION MAGAZINE RECYCLING

The Commissioners attended the Kick-Off of the Magazine Recycling at the St. Andrews Landfill.

ADJOURNMENT

The meeting adjourned at 3:30 p.m.

**7:00 P.M.
PUBLIC FORUM**

The Commissioners conducted the regularly monthly public forum accepting questions and comments from the audience:

Jean Taylor - Commended the Commissioners for the establishment of a Commission on the Environment and advised the Board of the establishment of an environmental committee called SOS (Save our Streams) through the Isaac Walton League. She advised that she was an adjacent property owner to the FERST Landfill property. She requested the Commissioners to listen to the Environmental Commission and "Beware of Compost." Mrs. Taylor invited the Commissioners to her house on Saturday for a stream sampling by SOS.

Larry Pinto - Inquired about specifics regarding the recently establishment Commission on the Environment (composition of membership, meeting dates, role and responsibilities, etc.) The Commissioners provided Mr. Pinto with information and an application.

Bob Thompson - Inquired as to the announced surplus of funds by the County and the county's options for its use. He referred to the tax increase (piggyback tax) in the FY '94 budget and requested the Commissioners to keep the taxpayers in mind. The Commissioners indicated the sources of the surplus (increased tax revenues, board of education, health insurance premiums) and advised that the Audit Report will be completed in October to get the specific amounts. A public hearing would have to be held on a Supplemental Budget before any funds could be allocated.

Rae Thompson - Inquired as to the disposition of funds to the Board of Education and as to who makes the decision for the spending of the surplus funds. The Commissioners responded that the Commissioners have that authority.

Daphne McGuire - Expressed displeasure regarding the Commissioners' attitude towards her for not revealing the location of the property having compost applied in St. Mary's County.

Minnie Russell - Advised that she obtained information at the County Fair regarding the use of sludge on farm land and pointed out that sludge had been put on a farm adjacent to her property. She inquired whether it was permissible. Commissioner Jarboe advised that MDE was the regulating agency and testing is required. Inquired about report of poor water quality in Lexington Park and Patuxent River NAS. Commissioner Jarboe responded that it has been retested several times and with good results.

Ken Hastings - Referred to September 22 correspondence from MDE which states that FERST is exempt from HB 1088, the fact that the compost did not have to be tested, expressed concern regarding health and environmental problems if it is applied on farm land; referred to the Commissioners' October 1991 letter and inquired whether the Commissioners would have signed it had they anticipated what has now happened. He reiterated his request for the Commissioners to rescind the letter.

Leonard Greess - Inquired whether the Commissioners had plans to improve the budget document; requested the Director of Finance to present proposals for improvement at a future public forum.

The Public Forum concluded at 9:20 p.m.

Minutes Approved by Board of
County Commissioners on 10/12/93

Judith A. Spaulding
Recording Secretary