

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
DECEMBER 14, 1993

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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 Jarboe moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, December 7, 1993. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **Piney Point Waterfront Project**

The County Administrator presented a memorandum dated December 13 from Director of Recreation and Parks forwarding a notification from the Department of Natural Resources of a \$252,000 grant approval in the amount of \$189,000 (federal) and \$63,000 (state) for the Piney Point Waterfront Project. These funds will be matched with the previously approved \$110,000 from the State Boating Administration to be used for adding a second boat ramp, improved parking, comfort station, bulkhead and pier repairs, and correcting shore erosion problems.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Interagency Contract with the Department of Natural Resources as presented. Motion carried.

2) **Piney Point Lighthouse Residential Leases**

The County Administrator presented the following two residential leases for the two rental properties at the Piney Point Lighthouse:

- o Dated November 19, 1993 between the Department of Recreation and Parks and Toni Hempel and Michael Morse in the amount of \$750 a month for the property known as the "Lighthouse Keeper's Quarters" at Piney Point.
- o Dated November 19, 1993 between the Department of Recreation and Parks and Victor Bukewicz in the amount of \$400 per month (reduced rent in that Mr. Bukewicz will perform maintenance and custodial services) for property known as the Chief Petty Officer's Quarters at Piney Point.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced residential leases as presented. Motion carried.

3) **Responses to Vernon Gray**

The County Administrator presented the following correspondence in response to letters received from Vernon Gray:

- o Regarding the county's system of boards, committees, commissions. The return letter describes appointment process and refers to the Resolution adopted in 1988 formalizing the foundation of the current system of managing the appointment and administration of membership on boards, committees, and commissions.
- o Regarding informing the public of the supplemental budget requests. The return letter describes the public process regarding proposals for use of the fund balance and indicates that the Commissioners have not yet determined if there will be a supplemental budget. If there is, the Commissioners will conduct a public hearing.

During discussion Commissioner Thompson suggested amending the letter regarding boards and committees to respond to Mr. Gray's concerns regarding publication of vacancies.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to sign and forward the letters as presented. Motion carried four to one with Commissioner Thompson voting against (she opposed sending the letter regarding boards and committees as presented and supported sending the letter regarding the supplemental budget).

4) **Dunn Response Letter
Supplemental Budget**

The County Administrator presented correspondence responding to a December 6, 1993 letter from Louis C. Dunn, Jr. regarding the supplemental budget. The return letter indicates that the Commissioners have not yet determined whether there will be a supplemental budget, but if there is, an advertised public hearing will be scheduled.

The Commissioners agreed to sign and forward the letter.

5) **Resolution No. 93-48
Solid Waste Advisory Committee**

The County Administrator referred to the Commissioners' decision to combine the Recycling Committee with the recently appointed Solid Waste Advisory Committee and, therefore, presented a Resolution formally establishing the citizen's Solid Waste Advisory Committee to review the solid waste management issues in the County.

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

6) **Lear Response Letter**

The County Administrator presented correspondence responding to a November 18 letter from Bruce D. Lear regarding the condition of property adjacent to his and the dogs located at the residence. The return letter advises that inspections have been conducted at the site and indicates that the junked cars have been removed, the yard cleaned, and the dogs chained or in the house.

The Commissioners agreed to sign and forward the letter.

7) **Sewage Sludge Utilization Permit Applications**

The County Administrator presented correspondence from the Maryland Department of Environment forwarding a sewage sludge utilization permit application to withdraw Field 4 for the McKay/Keatley (26-SM) property. The return correspondence from the Commissioners advises that the County will not exercise its right to request a public informational meeting/hearing, but expresses the Commissioners ongoing concerns over safety and land record notification.

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

8) **Office on Aging
Notification of Grant Awards**

On behalf of the Director of the Office on Aging, the County Administrator presented the following Notification of Grant Awards for the Commissioners' approval:

- o Senior Center in the amount of \$5,420
- o Senior Nutrition in the amount of \$50,264
- o Senior Information and Assistance in the amount of \$11,918

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the NGA's as presented. Motion carried.

9) **Department of Planning and Zoning
Code Coordinator Position**

The County Administrator presented a memorandum dated December 7 from the Personnel Officer recommending the selection of Michael J. Pellegrino to the Code Coordinator position, Grade 18, Step 3.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve the appointment as requested. Motion carried three to two with Commissioners Bailey and Jarboe voting against.

10) **Board of Education
Grant Award - Fiscal Year 1994**

In response to December 9 correspondence from Public Schools, the County Administrator presented a letter for the Commissioners' signatures approving the inclusion in the FY '94 budget of the Governor's Gifted and Talented Program Development Grant in the amount of \$7,040.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign the letter to the Board of Education as presented. Motion carried.

11) **Appointments
Boards, Committees, Commissions**

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

<u>Adult Public Guardianship Review Board</u>	<u>Terms To Expire</u>
Thomas M. Shea - REAPPOINTMENT	12/31/96
<u>Commission for the Disabled</u>	
Jack Hormell - REAPPOINTMENT	12/31/97

<u>Commission for Women</u>	<u>Terms To Expire</u>
Bobbi Henke	06/30/96/2000
Susan E. Parker	06/30/94/98
<u>Community Development Block Grant Advisory Committee</u>	
Elmer J. Brown - REAPPOINTMENT	12/31/98
<u>Electrical Examiners Board</u>	
George Kalnasy, Jr. - REAPPOINTMENT	12/31/97
<u>Family Assistance Center Advisory Committee</u>	
Sam Bauman - REAPPOINTMENT	12/31/95
William G. Combs - REAPPOINTMENT	12/31/95
Juanita Nether - REAPPOINTMENT	12/31/95
Agnes T. Weeden - REAPPOINTMENT	12/31/95
<u>Marcey House Board</u>	
Wayne Guy - REAPPOINTMENT	12/31/96
Liesl Stark - REAPPOINTMENT	12/31/96
<u>Metropolitan Commission</u>	
Rufus N. Dyer - REAPPOINTMENT	12/31/96
Frances P. Eagan - REAPPOINTMENT	12/31/96
<u>Nursing Center Board</u>	
Nancy Hutson	12/31/96
<u>Sheriff's Department Pension Plan Board of Trustees</u>	
Steven M. Doolan - REAPPOINTMENT	12/31/96
<u>Southern Maryland Private Industry Council</u>	
Charles E. Newkirk	06/30/97
Alice Young	06/30/97
<u>Wicomico Recreation Complex</u>	
Melvin G. Reed - REAPPOINTMENT	12/31/97

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Landings at Piney Point

As a follow up to last week's discussion, Mr. Ichniowski re-presented a Resolution withdrawing development rights in the Landings at Piney Point. Mr. Ichniowski reviewed the history of the project and stated that the Letter of Credit guaranteeing construction of the roads had not been honored by the Second National Bank.

During discussion Mr. Ichniowski distributed a copy of a letter dated December 9 from the firm of Niles, Barton and Wilmer indicating that RTC has approved the sale of the two Second National loans to Mr. Kimball and that the loans will be withdrawn from the portfolio loans to be sold by RTC. He pointed out that although negotiations are underway for a developer (Charles Kimball) to acquire the property, that in order to protect the County, he recommended that the Commissioners sign the Resolution. Once new public works agreements with appropriate surety are submitted, Mr. Ichniowski advised that he would present a Resolution reinstating the development rights.

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

2) **Road Resolution No. R93-17
Hewitts Road**

As a follow up to previous discussions Mr. Ichniowski presented a revised Road Resolution posting a "No Parking Zone" sign on Hewitts Road from its intersection with Md. Rte. 237 (Chancellors Run Road) for a distance of approximate 300 feet on both sides of the roadway, as opposed to the previously presented Resolution posting "No Parking" for a distance of 750 feet.

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

3) **Addenda to Public Works Agreements**

Mr. Ichniowski presented the following Addenda to Public Works Agreements for the Commissioners' review and approval:

Abell's Run

Between Morgan Associates and St. Mary's County extending the deadline for completion of improvements to November 1, 1994. The Addendum is backed by a Letter of Credit with the First National Bank of St. Mary's in the reduced amount of \$16,000.

Avenmar Subdivision

Between Avenmar Limited Partnership; Potomac Investment Associates and St. Mary's County extending the deadline for completion of improvements to June 1, 1994. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$67,000.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Addenda to Public Works Agreement. Motion carried.

**DEPARTMENT OF RECREATION AND PARKS
HALL OF FAME**

Present: Phil Rollins, Director, R&P
Hall of Fame, Inc. members

At the request of the Commissioners, the referenced individuals appeared before the Commissioners to discuss the request for additional funding for the Hall of Fame building project at the Regional Park. On December 7 the County Administrator had presented Budget Amendment No. 93-37 transferring funds from Regional Park accounts to the Hall of Fame project account.

Mr. Rollins reviewed the history of the project pointing out that the County was going to purchase materials and the Hall of Fame members were going to construct the building. However, in August staff appeared before the Commissioners to propose that the County build the facility using the county's procurement process and the Hall of Fame would donate \$80,000 which had been generated through fund raisers. At that August meeting the Commissioners had approved the modification to the funding and construction plan.

Mr. Rollins distributed a hand out setting forth a break down of the Hall of Fame project funding. The original projected cost was \$389,913; however, the lowest bid came in at \$407,990. He further pointed out that additional funds in the amounts of \$10,000 (inspector) and \$20,000 (contingency) were needed making the total shortfall in the amount of \$46,075. The funds from the Regional Park project would be taken from the reforestation and irrigation projects which can be deferred to a later fiscal year.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign Budget Amendment No. 94-37 in the amount of \$76,346 with the following justification: To correct a previous account error and to provide additional funding for the Hall of Fame building project. Motion carried.

THIOKOL CORPORATION - STATUS REPORT

Present: David Burroughs, Project Leader

Mr. Burroughs appeared before the Commissioners to present an updated report on the status of the Thiokol property on Friendship School Road and distributed copies of Thiokol's Comprehensive Work Plan and a Proposed Interim Remedial Action Plan for Reactive Components.

During his presentation Mr. Burroughs described the history of the project noting that under the ownership of Hunter Chemical Company and Federal Ordnance Inc. an ordnance manufacturing facility was operated in the 1950's. Thiokol purchased the property in 1959 and it has been inactive since that time. During the last two year investigation of the property approximately 42 five-gallon containers of reactive items have been found and are being safely stored on site while awaiting approvals for treatment. The Remedial Action Plan summarizes the alternatives for treatment/disposal of the reactive components recovered at the site.

He reported that Thiokol will be conducting a public meeting this evening at the Carter State Office Building regarding the project during which the proposed Action Plan will be presented for public comment. Mr. Burroughs advised the Commissioners that input from citizens, Maryland Department of Environment, Maryland Fire Marshall and other stakeholders was incorporated into the Action Plan document. The public is being encouraged to review the document and offer comments. All comments will be responded to in writing by Thiokol. A post office box has been opened in Mechanicsville for receiving written comments.

In closing the Commissioners expressed appreciation to Mr. Burroughs for keeping the community informed of the status of the property.

ALLIANCE FOR ALCOHOL/DRUG ABUSE PREVENTION COMMENDATION - VISTA VOLUNTEER

Present: Joe Dick, Director, Alliance
Walt Biscoe, Alliance Coordinator
VISTA Workers

Mr. Biscoe introduced the VISTA workers and announced that Vista worker Andrew Vissal will be leaving as his contract has expired.

The Commissioners presented a Commendation and a County Seal in recognition of his work with the VISTA program.

EXECUTIVE SESSION

Commissioner Jarboe moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss a matter of Personnel (Tri-County Council Executive Committee Appointments), as provided in Article 24, Section 4-210(a)1. Motion carried.

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
Judith A. Spalding Recording Secretary

Authority: Article 24, Section 4-210(a)1

Topic: Personnel - Tri-County Council Appointments

Time Held: 11:00 a.m. - 11:05 a.m.

Action Taken: The Commissioners reviewed the recommendations for appointment and requested staff to prepare a letter to the Tri-County Council for formal action at next week's meeting.

COUNTY COMMISSIONERS' TOUR

The Commissioners left at 11:30 a.m. to visit the following sites:

- o Department of Planning and Zoning to view a demonstration of the automated permit process.
- o Guyther Building (New State's Attorney's Office Space)
- o Department of Natural Resources Piney Point Aquaculture Center

ADJOURNMENT

The meeting adjourned at 4:00 p.m.

Minutes Approved by Board of
County Commissioners on 12/21/93

Judith A. Spalcing
Recording Secretary