

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**MARCH 15, 1994**

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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 Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, March 8, 1994. 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) **Alliance for Alcohol, Drug Abuse Prevention  
Summer Safety Grant**

Also Present: Joe Dick, Director, Alliance

The County Administrator advised that because of time limitations, the Commissioners were contacted on March 14 to get authorization for Commissioner Loffler to sign the referenced Summer Safety Grant Application in the amount of \$144,688. This action requires confirmation in this week's minutes.

Mr. Dick indicated that the Commissioners, at the March 8 Alliance meeting, agreed to underwrite the grant up to \$25,000, and advised that this grant application requires a 10% match in addition to an in-kind match of \$104,212. The grant proposal is for the training in public safety, crime prevention, alcohol/drug abuse prevention methodologies, and day camp operational management to deliver a six-week program for up to 500 campers in economically disadvantaged neighborhoods.

Mr. Dick further advised that there will be an additional grant application for the program in the amount of \$75,000 and requested authorization for Commissioner Loffler to sign that application.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to confirm the Commissioners' action of March 14 authorizing Commissioner Loffler to sign the \$144,688 Grant Application and further to authorize Commissioner Loffler to sign the additional Grant Application in the amount of \$75,000. Motion carried.

2) **Critical Area Growth Allocation**

On behalf of the Director of Planning and Zoning and as a follow up to the public hearing, the County Administrator presented the following documents relative to the Critical Area Growth Allocation:

**St. Clements Woods, Lot 1**

Letter to the Chesapeake Bay Critical Area Commission approving the Growth Allocation Application and forwarding appropriate documents.

**Hanover Point**

Resolution No. Z94- denying the Growth Allocation application on the bases of incompatibility to the surrounding neighborhood and technical design issues.

**Commissioner Jarboe moved, seconded by Commissioner Thompson, to sign and forward the letter to the Critical Area Commission and to approve and sign Resolution No. Z94- as presented. Motion carried.**

3) **Response Letter  
Referendum/Elected School Board**

In response to February 19 correspondence from Clancy Lyall, the County Administrator presented a letter relative to the establishment of a committee to provide the public with information for the evaluation of benefits of an elected school board. The return letter thanks Mr. Lyall for his suggestions and indicates that if the legislation for an elected school board is passed, the Commissioners will take his comments under consideration.

The Commissioners agreed to sign the letter as presented.

3) **Response Letters  
Sign Regulations**

In response to February 24 correspondence from the Chamber of Commerce and the Economic Development Commission relative to proposed amendments to the Sign Regulations. The County Administrator presented return letters thanking the Chamber and EDC for the recommendations and indicate that the recommendations will be considered during the annual review of the Zoning Ordinance, the first hearing of which will be the Planning Commission's public hearing tentatively scheduled for April 25.

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

4) **Response Letter  
Snow Removal**

In response to February 23 correspondence the County Administrator presented a letter addressed to David W. Brewster explaining the damage caused to mail boxes caused by sleet and freezing rain and indicating that, because of the hazardous conditions, it was not the county's responsibility to replace the mailboxes that were within the county right-of-way.

Discussion ensued as to whether the County should adopt a policy regarding mail box replacement including the fact there were many other such occurrences during the storm.

**After discussion four Commissioners agreed to sign and forward the letter as presented. Commissioner Loffler declined to sign stating he felt it was the County's responsibility to replace the mailboxes if the plow came into contact with the boxes.**

5) **Eagle Scout Award**

The County Administrator presented correspondence addressed to Joseph Stephen Williams, Jr. congratulating him upon his achievement of attaining the rank of Eagle Scout.

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

6) **Mental Health Authority Board (Revised By-Laws)**

The County Administrator presented correspondence addressed to the Mental Health Authority Board indicating that the revised bylaws as submitted by a February 10 letter meet the requirements of Resolution No. 88-03.

During discussion Commissioner Loffler pointed out that the amendments appear to include major changes to the bylaws which need to be clarified. Commissioner Thompson indicated that the explanations of the changes received in February do not seem to match up with the draft bylaws submitted to the Commissioners in November.

The County Administrator advised that he would have the bylaws clarified with capitals and brackets showing additions and deletions.

**(Commissioner Jarboe left the meeting at 9:40 a.m. to attend a hearing in Annapolis on House Bill 1597 relative to the Narrow Mouth Toad.)**

7) **Board of Education (Fiscal Year 1994 Grant)**

In response to March 10 correspondence from Superintendent of Schools Kozlovsky, the County Administrator presented a letter approving the request to include the revised grant award for "Project Independence" totaling \$7,294 in the Board of Education's Fiscal Year 1994 Budget.

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

8) **Senate Bill 677  
Educational Accountability and Adequacy Act of 1944**

The County Administrator advised that Superintendent of Schools Kozlovsky forwarded correspondence to the Senate Budget and Taxation Committee relative to Senate Bill 677 which proposed to shift cost of transportation to the local jurisdictions as well as restricting the amount of funding provided to the counties towards teachers' retirement funds. Dr. Kozlovsky's letter indicates opposition to the bill because of its impact on St. Mary's County. The County Administrator explained that St. Mary's County transports 95% of its students while the State average is 65%.

County Administrator Cox presented correspondence addressed to the County's legislative delegation supporting Dr. Kozlovsky's position in opposing the bill and requesting assistance in avoiding the additional shift of costs to the local level as represented in the proposal.

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

9) **Budget Amendment No. 94-63  
County Commissioners**

The County Administrator presented the referenced budget amendment recommended for approval by the Director of Finance with the following justification: To provide a loan to Marcey House to cover Fiscal Year 1994 shortfall (\$16,000).

**Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve and authorize Commissioner Loffler to sign Budget Amendment No. 94-63 as presented. Motion carried.**

10) **Supplement to Lease Agreement  
Airpark Sales and Service**

The County Administrator presented a Supplement to the Lease Agreement entered into between the Board of County Commissioners and the State of Maryland amending the lease for the location of the Maryland State Police MedEvac to read that the term of the lease is five years and "commences March 1, 1994."

**Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Supplement**

**ANNUAL REPORT  
MENTAL HEALTH, SUBSTANCE ABUSE & VICTIMS ADVOCACY COUNCIL**

Present: Sam Bauman, Chair  
Cindy Bruce, Vice-Chair

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report of the Mental Health, Substance Abuse & Victims Advocacy Council. Mr. Bauman cited its purpose and described significant activities of 1993 (including training for council members, advocacy and coordination of staff development). Plans for 1994 include becoming more involved in the mental health planning process.

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

**ANNUAL REPORT  
HUMAN RELATIONS COMMISSION**

Present: Cynthia Brown, Director, OCS  
Laraine Tyska, Chair

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the Human Relations Commission. Ms. Tyska explained the Commission's purpose, the complaint process and negotiation efforts, citing an example of a positive negotiation with an individual. She further described other activities including community relations and education (annual Human Relations Day breakfast and raising public awareness of individual rights).

Mrs. Brown emphasized the importance of informing the public that a person who is discriminated against has a means of getting assistance.

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

**TRI-COUNTY COMMUNITY ACTION COMMITTEE  
WEATHERIZATION PROGRAM**

Present: Dana Jones, Director, TCCAC

Mr. Jones appeared before the Commissioners to request the Commissioners to designate Tri-County Community Action Committee as the local operator for the Weatherization Program. He advised that the program had been funded directly from the State; however, the State plans to enter into a procurement process that would channel funds for the program through the County. He requested the Commissioners to sign a letter designating TCCAC as the local Weatherization Assistance Provider. Funding would be forwarded to the County and channeled to TCCAC.

Mr. Jones explained the weatherization program and the growth of services provided to needy homeowners.

**After discussion Commissioner Lancaster moved, seconded by Commissioner Thompson, to designate Tri-County Community Action as the local operator of the Weatherization Assistance Program. Motion carried.**

**RECREATION AND PARKS  
INDOOR RECREATION CENTER PROPOSAL**

Present: Phil Rollins, Director  
Pete Amole, R&P Board Member  
Hal Bishop       "  
Jane Sypher,       "  
Bruce Manger, Probst-Mason, Inc.

As a follow up to previous discussion, the referenced individuals appeared before the Commissioners to present a proposal for a St. Mary's County Indoor Recreation Center. Mr. Rollins indicated that the County's Land Preservation and Recreation Plan included renovations to the old drill hall for conversion to an indoor recreation facility. A feasibility study is being conducted to determine whether the drill hall would be suitable for such a project which includes three phases of development: a recreation center, an indoor swimming facility and a gymnastics center.

Mr. Manger, by way of schematic drawings, described each phase of the project including the necessary renovations to accomplish the project. The recreation center could be used for exercise classes, dance and fitness programs, racquetball courts, health and fitness programs, lunch time wellness programs, sports programs, concerts, dances, special events and R&P administrative offices; the indoor pool building would have no other uses. He pointed out that although the property could accommodate the project, all three facilities would not have to be located at the Governmental Center.

Mr. Rollins pointed out that he has requested that the project be included in the County's Six-Year Capital Program in a phased-in approach.

During discussion the Commissioners expressed concern relative to priorities in funding projects, and Commissioner Loffler suggested that Recreation and Parks look into a combined use of the indoor swimming pool with the new community college with shared costs of the facility.

In conclusion the Commissioners thanked the Recreation and Park representatives and requested to be kept informed as the study progresses.

**ST. MARY'S WOMEN'S CENTER**

Present: Sue Borneman, Chair  
Carol Marcey  
Karin Stanford

The referenced representatives of the St. Mary's Women's Center appeared before the Commissioners to present an annual report for 1993 and to request reconsideration for restoration of funding.

Ms. Borneman presented and reviewed the 1993 Annual Report for the Women's Center stating that the Center provided legal assistance to victims of domestic violence and developed programs to help low-income families facing a variety of legal programs. The Center assisted with 148 legal cases; 70 domestic violence cases, and 26 emergency financial assistance cases during 1993. She stated that the Center not only handles legal issues, but also handles requests for information and referrals for housing, education, and counseling.

Ms. Marcey advised that the Board of Directors has doubled and has been functioning in a more positive manner. Volunteers have been coordinated to assist in the advocacy program and in the development of workshops.

Ms. Stanford reported that the Center has been doing more fund-raising efforts and more aggressively seeking grants.

Mrs. Borneman indicated that the Women's Center is moving to a new facility at the same site on Great Mills Road. Operating expenses have continued to escalate, and the Center has requested that the funding be restored to the requested level of \$30,000 rather than the budgeted \$28,000.

The Commissioners referred to the Recommended Budget and pointed out that the amount included for the Women's Center was \$29,460.

Mrs. Borneman, on behalf of the Women's Center, thanked the Commissioners for their support.

## **EXECUTIVE SESSION**

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matters of Property Acquisition (St. Mary's County Airport), Property Disposition (St. Mary's Press), as provided in Article 24, Section 4-210(a)11, and Personnel (Consideration of Appointments to Boards, Committees, Commissions) as provided in Article 24, Section 4-210(a)1. Motion carried.

### **Property Acquisition - St. Mary's County Airport**

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner John G. Lancaster  
Commissioner Barbara R. Thompson  
Edward V. Cox, County Administrator  
Phil Rollins, Director, Recreation and Parks  
Mary Pat Pope, Administrative Officer  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11

Time Held: 11:35 a.m. - 11:45 a.m.

Action Taken: The Commissioners reviewed documentation relative to the possible acquisition of property at the St. Mary's County Airport. Staff will develop details for discussion at a later meeting.

### **Property Disposition - St. Mary's Press**

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner John G. Lancaster  
Commissioner Barbara R. Thompson  
Edward V. Cox, County Administrator  
Phil Rollins, Director, Recreation and Parks  
Mary Pat Pope, Administrative Officer  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11

Time Held: 11:45 a.m. - 12:05 p.m.

Action Taken: The Commissioners reviewed a proposal relative to the disposition of the St. Mary's Press building, discussed several options and agreed to give consideration at a later meeting.

**Personnel**

**Consideration of Appointments to Boards, Committees, Commissions**

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
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

Time Held: 12:10 p.m. - 12:45 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations, requested staff to contact the nominees, and to prepare appropriate correspondence for their signatures.

**ANNUAL REPORT**

**SOLID WASTE ADVISORY COMMITTEE**

Present: Melva Abell, Co-Chair  
Bill Mattingly, "  
Nancy Liberman, Department of Public Works

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the Solid Waste Advisory Committee. Mrs. Abell explained the Committee's purpose and reviewed the issues and challenges before the group. Activities during 1993 included the review of the draft Solid Waste Plan with recommended amendments, discussion of solid waste and recycling issues. One of the major discussions of the Committee was the issue of regionalism and whether it was advantageous for St. Mary's County. Because of the concerns relative to regionalism, some members will be developing a minority report. Plans for 1994 include completing the review of the Solid Waste Plan, report to the Commissioners on the Plan, public informational meeting and hearing, review of the Solid Waste Ordinance and Rules and Regulations, tipping fee review, and further review of alternative disposal options.

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

**FISCAL YEAR 1995 BUDGET REVIEW**

Present: Edward V. Cox, County Administrator  
Charles Wade, Director of Finance

With reference to the Fiscal Year 1995 Tentative Recommended Budget, Mr. Wade distributed a hand out setting forth recommendations relative to revenues and expenditures as follows:

**Revenues**

Decrease Property Tax Rate to constant yield - \$2.18  
Reinstate Accommodations Tax - \$160,000  
Increase Tipping Fees -\$500,000

**Expenditures**

Board of Education - additional \$2,582,259 plus a \$900,000 grant  
Sheriff's Department - 3 deputies, 3 correctional officers, 12 vehicles, full year security system operator, 3 process servers, promotions, medical contract  
Finance - Deputy Director  
Public Works - Building Maintenance Mechanic, Building Maintenance Fund - an additional \$100,000; increase in electric, Recycling - an additional \$70,000  
3.5% COLA  
Library - \$20,000 books; \$20,000 equipment  
State's Attorney - Three positions to Merit  
Study of Automation Requirements/Policies - \$40,000  
Community College - Assistant Professor of Nursing; tuition supplement; and additional overhead expenses

During review of the FY 1995 Tentative Recommended Budget, the Commissioners raised the following issues:

- o **Yowaski Mill Road** - Referring to March 9 memorandum from Mr. Wade, Commissioner Loffler requested additional explanation as to whether funds could be transferred from the Yowaski Mill Road project in order to free up general funds. He questioned the fact that Yowaski Mill Road was the only project in the County that met federal standards.
- o **Board of Education Salaries** - Commissioner Loffler requested a review of salaries for the Board of Education to determine if there is parity.
- o **Board of Education Classroom Size** - Commissioner Loffler requested a review of classroom ratios and whether funds could be shifted for other items in public schools
- o **Recreation and Parks** - Commissioner Loffler requested that Mr. Rollins come before the Board to explain the scholarship funding request - \$5,000.
- o **Sotterley** - Commissioner Loffler inquired whether there was a plan to have someone included in the budget to give guidance for seeking funding and grants for the Sotterley restoration project.
- o **Library** - Commissioner Loffler suggested that the Library Board come before the Board to address salaries.
- o **DECD** - Commissioner Loffler requested restoration of the MACo exhibit funds; Commissioner Thompson requested restoration of the Farmers' Market funds.

#### ADJOURNMENT

The meeting adjourned at 4:30 p.m.

Minutes Approved by Board of  
County Commissioners on 3/22/94

Judith A. Spalding  
Recording Secretary