

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
MARCH 22, 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 Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, March 15, 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) **Tri-County Commissioners' Meeting**

Relative to the March 28 scheduled meeting of the tri-county Commissioners, the County Administrator presented correspondence addressed to Calvert and Charles County Commissioners with a recommended agenda. Suggested items of discussion include Southern Maryland Higher Education Center, Animal Shelter, Marcey House, and Solid Waste.

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

2) **HOUSE BILL 698**
STATE'S ATTORNEY'S OFFICE - MERIT SYSTEM

Relative to HB 698 addressing the personnel of the State's Attorney's Office, the County Administrator presented correspondence addressed to the Legislative Delegation indicating the Commissioners have reviewed the bill and the legislative counsel's opinion. The letter states that the Attorney Sandra Cohen has addressed the principal concerns and therefore support the bill with the understanding the conclusions drawn by her are intended and provided for in the bill.

Commissioners Bailey and Jarboe expressed concern as to whether the bill addressed what had been requested by the State's Attorney.

After discussion Commissioner Lancaster moved, seconded by Commissioner Thompson, to sign and forward the letter as presented. Motion carried three to two with Commissioners Bailey and Jarboe voting against.

3) **Budget Amendment No. 94-64
Recreation and Parks**

Also Present: Phil Rollins, Director, Recreation and Parks

The County Administrator presented the referenced budget amendment recommended for approval by the Director of Finance with the following justification: To provide funding for the purchase and installation of a wheelchair lift for the Hall of Fame building.

Mr. Rollins explained that in awarding the base contract bid for the Hall of Fame project, there were not enough funds for the wheelchair lift.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign Budget Amendment No. 94-64 as presented. Motion carried.

4) **Child Welfare Association**

Also Present: Becky Stevens, Community Services Coordinator

The County Administrator presented correspondence dated March 21 from the Council of Children and Youth requesting the Commissioners to allow the Office of Community Services to continue providing support services (copying, mailings, record keeping) to the Child Welfare Association.

County Administrator Cox explained that the Association had been a task force created by the Council on Children and Youth to study child care resources and needs in the County and reorganized as an Association.

During discussion Commissioner Loffler expressed concern that taxpayers should not be funding an organization that was no longer a part of county government and suggested that the Association return to being a subcommittee of the Council on Children and Youth. The Council could then receive annual reports from the subcommittee, approve its membership, and be kept informed of its activities.

Mrs. Stevens indicated she would look into this suggestion and report back to the Commissioners.

5) **Local Farmers' Market
Women, Infants, and Children (WIC) Program**

On behalf of the Agriculture/Seafood Commission, the County Administrator presented correspondence addressed to the Maryland Department of Agriculture requesting participation of the local farmers' market in the Women, Infants, and Children (WIC) farmers' market coupon program. The letter indicates that participation in the Program would strengthen the market, increase revenues for farmers, and provide fresh produce to low income residents for more nutritional food choices.

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

6) **Appointments**

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

<u>Commission on Aging</u>	<u>Terms to Expire</u>
Robert F. Woody	06/30/95/98
<u>Council on Children and Youth</u>	
James Stewart	06/30/95
<u>Marcey House Board</u>	
Catherine A. Stewart	12/31/96/99

METROPOLITAN COMMISSION - ANNUAL REPORT

Present: Larry Petty, Director
Steve King, Deputy Director
Leroy Williams, Member

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report of the Metropolitan Commission. Mr. Petty explained that the Commission's authority and guidelines are set forth in Section 113 of the Code of St. Mary's County.

Mr. Petty reviewed the report, highlighting accomplishments during 1993 (including Tall Timbers sewerage project; St. George Island sewerage project; uniform service charge for water/sewer; lead and copper testing; and Wicomico Shores Water/Sewer project. Future problems/challenges include Pine Hill Wastewater Treatment Plan expansion; exploration of use of remote meter readers. Plans for the current year include Airedele Road sewerage project; St. Mary's Industrial Park; Charlotte Hall Water line; and Navy flow equalization. The report included Growth of Customers Billing chart and an organizational chart of the Commission.

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

LIBRARY BOARD OF TRUSTEES - ANNUAL REPORT

Present: Lynn Redmond, Chair
Mary Ann Chasen, Member
Everlyn Holland, "
Lorrie Wallace, "
Charles Young, "

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the Library Board. Mrs. Redmond reviewed the group's purpose and activities of 1993 which included: review of space needs for the Lexington Park and Charlotte Hall libraries; review of and planning for upgrade of libraries; extension of library hours; adoption of ADA policy; budgetary and fiscal decisions; support of library's 25th anniversary celebration; and hosted Governor Schaefer's visit to the Lexington Park library. Problems and challenges included: continuing to provide free and equal access to information; providing adequate facilities and services; and providing adequate compensation to staff. Plans for the current year include development of a long-range plan to the year 2000; exploration of way to consolidate the regional and Charlotte Hall libraries.

Discussion ensued regarding the theft of books, tapes and materials, and that there was a need for a security system to prevent the materials from disappearing.

During discussion of library staff salaries, Commissioner Loffler requested information relative to training and educational standards for St. Mary's County staff. The Library Board representatives will return to the Board at a later date to discuss the salary issues.

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

SHERIFF'S DEPARTMENT

Present: Sheriff Wayne Pettit
Barbara Dotson, Fiscal Specialist

- 1) Presentation of Grants

Mrs. Dotson presented the following grant applications for the Commissioners' review and consideration:

Town Watch Community Policing Program (New)

Also Present: Tom Shea, Town Administrator

Total cost - \$74,048 (federal share - \$55,536; local share - \$18,512) and required county budget authorization for expenditure outlays; however, the Town of Leonardtown has agreed to reimburse the required 25% local match. The funds would provide for the hiring of a deputy sheriff and operating equipment to implement the program.

Alcohol Enforcement Grant Renewal

Total cost - \$57,471 (federal share - \$43,103; local share - \$14,368). The program is designed to address underage drinking problem through the continued employment of an Alcohol Enforcement Coordinator to heighten monitoring and enforcement of underage drinking laws.

Drug Abuse Resistance Education (DARE) Program Grant Renewal

Total cost - \$53,990 (federal share - \$40,492; local share - \$13,498). DARE is a school-based prevention program and the grant funding would provide for the continuation of one deputy sheriff to teach the DARE curriculum along with a trained classroom teacher to ninth and tenth grade students.

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and to authorize Commissioner Loffler to sign the referenced grant applications as presented. Motion carried.

Child Support Enforcement Cooperative Agreement Grant Renewal

Total cost - \$173,327 (federal share - \$103,921; local share - \$63,096). The grant will fund two full-time deputy positions, one full-time Child Support Program Assistant, reimbursement of salary and benefit costs for one part-time county funded Program Supervisor and designated operating and equipment requirements.

Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and to authorize Commissioner Loffler to sign the Grant Application as present. Motion carried.

2) Annual Report

Sheriff Pettit presented and reviewed the 1993 Annual Report of the Sheriff's Department. The Report included statistics in the areas of law enforcement, corrections, Southern Maryland Criminal Justice Academy, and organizational charts.

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

DEPARTMENT OF PLANNING AND ZONING

Present: Jon Grimm, Director
Joe Meinert, Deputy Director
Peggy Childs, Recording Secretary.

1) Review of Proposed Updates to BOCA and CABO

Also present: Rob Smith, of Middle Department Inspection Agency

Mr. Grimm provided the Commissioners with a copy of the recommended draft Ordinance adopting the 1993 BOCA Building Code, the 1992 CABO One-and-Two-Family Dwelling Codes and the 1993 BOCA National Energy Conservation Code, requesting review prior to scheduling a public hearing. The Ordinances also include by reference all of the Plumbing and Electric Codes and the Structural Codes. Following three public meetings in 1992, the

BOCA Board reviewed comments and suggested changes from builders, other public comment as well as staff and MDIA comment, before recommending the proposed changes to the Planning Commission, who, in turn, have reviewed the ordinance and recommended approval to the County Commissioners.

The Commissioners discussed the proposed changes, one of which is the additional "backfill" inspection for basements to prevent failure of the foundation due to inadequate drainage. Commissioner Loffler expressed concern about the level of inspections and asked if this can be done at final inspection? Mr. Smith replied it is difficult to determine at final inspection whether an adequate drain tile system has been installed because they have not had an opportunity to see the drain tile system, the parging or tar and whatever waterproof membrane has been installed on the foundation wall, and there have been times when MDIA went out for final inspection and found a basement wet. Then excavation work must be done to determine the cause. He stated they cannot guarantee a basement will not leak but can guarantee that it is in compliance with the Code, and that the basement wall has been waterproofed or damp-proofed.

Mr. Smith stated that the backfill inspection will be at no additional cost, that MDIA does a fair amount of the inspections now, when requested either by a contractor or an applicant, and they would not be uncomfortable with doing the inspection for every single house in the County - that's how strongly they feel about it - but it would have to be required by the Ordinance to allow them to do it on that basis.

Proposed change (6)(a) - Simplified Site Plan Submission requirement for single family dwellings. This is not a requirement for construction drawings, architectural or engineering drawings; the detail sheet forms attached to Mr. Smith's letter of 3/7/94 would be used to assist inspectors in resolving problems found in the field after-the-fact, which are costly and time-consuming to correct. If approved, this requirement would be put in place prior to issuance of the building permit.

Other proposed changes refer to technical changes in the CABO Code relating to deletion or addition of particular components to allow it to be more applicable to construction in St. Mary's County, and to identify areas where we have had problems in the past.

Mr. Smith responded to Commissioner Loffler that Calvert County still operates under the Southern Building Code but Charles County has gone to the proposed codes. He stated that MDIA had held a seminar for contractors in the County, which was held in Lexington Park in November of 1992 and was attended by about 50 contractors, and said MDIA would be willing to work with the County to present another seminar, if desired.

Commissioner Jarboe was concerned that applicants be able to do the submission plans themselves and stated he wanted to know how much time the requirement would add to the process and how much it is going to cost the homeowner. Mr. Smith replied that the homeowner can do the drawings themselves, and offered to contact other counties and provide actual plans which have processed for the Commissioners' review.

Commissioner Loffler asked that Mr. Smith put together a presentation of about 30 minutes in length, which at least identifies the areas of change, for the public hearing.

Commissioner Lancaster moved to direct staff to proceed with the public hearing as discussed; i.e., Tuesday, April 12th, at 7:00 p.m. The motion was seconded by Commissioner Bailey and passed by unanimous vote.

2) **Grandfathering Proposal**

Mr. Grimm offered Section 48.07, the grandfathering methodology proposed by the Planning Commission committee following the Commissioners' direction of 5/25/93, stating that he was presenting it for the Commissioners review prior to scheduling a public hearing. The Planning Commission has held a public hearing and has recommended approval by the County

Commissioners. The proposal provides some timetables for projects to be grandfathered at various stages, depending on the type of application, and sets some deadlines for projects to maintain their grandfathering status in order to complete the project.

Commissioner Bailey expressed his concern that the proposal does not address the projects previously considered for grandfathering, and said that's what he thought was coming back. Mr. Grimm responded that a number of projects lost their grandfathering rights on May 1, 1993. The Planning Commission committee, during their first meeting, discussed how to address the old projects and decided not to address them specifically, but to develop a proposal; if any of the projects qualify under the proposal, they will be eligible for grandfathering. Mr. Grimm said it is his opinion that if the proposal is adopted none of the projects would qualify retroactively, but they might be eligible to reapply under this proposal.

Commissioners Bailey and Jarboe stated they thought the committee had not done what it was charged with and Commissioner Jarboe asked if anyone on the committee had gone out to look at the projects. Commissioner Loffler stated that we know that a couple of those projects had major investments - stormwater management, water and sewer, roads, at least some rough grading, and said he had a problem with coming up with rules that would not allow projects to be grandfathered at a certain stage.

Mr. Grimm replied he thinks the proposal does that, but it does it prospectively rather than retroactively; he said he doesn't think it was the committee's intention to exclude the projects, but rather to develop the recommendation and then apply it. He said the Commissioners had the opportunity to address those projects in May 1993, but the proposed section addresses the issue as a whole, and the way it has been drafted is that none of the projects qualified for any more grandfathering than they were provided. If the Commissioners want to grandfather some of the other projects they can either do it specifically, by project, or if the proposal needs to be amended or modified to allow for retroactive application, that is possible, but it is not the Planning Commission's recommendation at this stage.

Commissioner Thompson stated she thought it was appropriate for the committee to have reviewed this without considering any existing projects and to have drawn up the proposal without prejudice, adding she hasn't even seen the proposal yet.

Commissioner Loffler agreed with Commissioner Jarboe that the Commissioners stopped the grandfathering in May but not to eliminate it on those projects, to try and get a standard that could be applied in the future and to those projects if they fit. He commented that he thinks the proposal will force these projects to go to Court and he is convinced that they would win. Mr. Grimm responded he thinks the key is, "if the projects fit," and all he is saying is that the way this has been drafted, they do not fit.

Mr. Grimm pointed out that the committee did have the County Attorney look at case law, and Maryland case law, one of the strictest in the country, does not allow projects to be grandfathered unless they have construction above-ground.

Commissioner Loffler replied, before the Commissioners send something to public hearing, it better be what the Commissioners feel should go forward, and he is not willing to support anything like this going to public hearing until they have had their look at it. He pointed out that the difference between case law and these projects is that there is an investment of public funds, because the developers have borrowed money for bonding and for infrastructure, and if St. Mary's does something that is far more strict than other areas, we will discourage investment in the County at a time when we can't afford to discourage it, when we are trying to meet the needs of a growing naval installation. He said it is easier for an investor to say no than to say yes when they're dealing with the federal government for federal insurance and the County doesn't want to devalue an investment already made, because it affects more than just one project, it affects the financial institution's desire to invest; it is a community problem.

Commissioner Loffler directed staff to bring this back, providing more information on those projects. Mr. Grimm stated he had simply intended to submit the proposal for review and would schedule a time to come back and make a presentation to the Commissioners, providing more information on case law and the committee's work.

3) Timber Lakes Subdivision

Also Present: Larry Day and Mac Paul, of Larry Day & Associates
John Gordon, of Eastern Land and Timber Company, Developers

Mr. Day presented a letter to the Commissioners dated March 17, 1994, stating he was before them seeking clarification as to whether their 1/11/94 2-2 vote on the proposed Timber Lakes W/S Amendment was in fact to table a decision, or whether the amendment was denied. He stated in August 1993 the Planning Commission granted concept approval to allow the water/sewer amendment to go forward, with the condition that a request for a text amendment be submitted in conjunction with the annual update of the Zoning Ordinance. However, there was no update in 1993, and Mr. Day stated on March 16, 1994, he submitted a new application for the water/sewer amendment; if the Commissioners action was simply to table a decision, there will be no need for a new application to go forward.

Commissioner Loffler responded that there is a process established for the semi-annual water/sewer amendments and the Commissioners had discussed that, in this case, the cart was before the horse, and the 2-2 vote was to table the decision because there were some other things that needed to be put in place before a water/sewer amendment was sent to the State; it was not a vote for denial of the amendment and there was no need for the project to start over.

Mr. Day stated the public hearing on the Zoning Ordinance is scheduled for April 25th and presented a schedule which, if recommended for approval by the Planning Commission, would allow Timber Lakes to proceed to public hearing with the Commissioners on May 9th. Mr. Grimm stated he felt Mr. Day's schedule was not realistic in terms of processing of the amendments, because the advertisements would need to be run for the Board of County Commissioners' hearing before the Planning Commission had made their recommendation. Mr. Cox agreed and indicated certain other dates which could be met.

Commissioner Loffler suggested the amendments be separated and processed according to groupings, adding that something like the sign regulations should not hold up this project.

Commissioner Bailey was concerned that there was not a 1993 Ordinance Update, and moved that we keep to the Annual Update schedule as much as possible and not take a year to do them. The motion was seconded by Commissioner Lancaster and passed by unanimous vote. Staff was directed to proceed with the April 25th public hearing and to work with the applicant to expedite this project.

MEMORIAL CEREMONY - THOMAS S. PILKERTON

The Commissioners conducted a Memorial Ceremony for Thomas S. Pilkerton, a county employee from the Department of Public Works who passed away.

TRI-COUNTY COMMUNITY ACTION COMMITTEE - ANNUAL REPORT

Present: Dana Jones, Director

Mr. Jones appeared before the Commissioners to present the 1993 Annual Report for the Tri-County Community Action Committee. He described the services provided by TCCAC, which include emergency advocacy services (information referrals, food pantry, fuel funds, rent/shelter/mortgage assistance, Adopt-A-Family for Christmas); Head Start; Housing Programs, Maryland Energy Assistance Program; Senior Companion, Transportation Services; and the Weatherization Program.

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

TRI-COUNTY RESIDENTIAL ALTERNATIVES FOR YOUTH - ANNUAL REPORT

Present: Michael Whitson, President
Paul Enoch, Director

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for Tri-County Residential Alternatives for Youth. Mr. Whitson explained the purpose of the board and described the fund-raising efforts of the Alternatives for Youth which include: celebrity basketball, Lawn Party at Tudor Hall, and the Annual Chaptico Classic Race.

Mr. Enoch described the services provide by Alternatives for Youth which include: treatment foster care; therapeutic group home; independent living, crises program; and in-home intervention program. The goal for 1994 is a 20% increase in services to St. Mary's County.

FISCAL YEAR 1995 BUDGET REVIEW

Present: Edward V. Cox, County Administrator
Charles Wade, Director of Finance
Marty Jones, Budget Analyst

The referenced staff appeared before the Commissioners to review, discuss, and get direction from the Board relative to the Fiscal Year 1995 Recommended Budget. Mr. Wade pointed out that according to the local Code the Recommended budget must be signed by March 30.

Areas of discussion included:

Capital Budget

As a follow up to previous discussion relative to whether state funds could be transferred from Yowaiski Mill Road to free up general fund money, Mr. Wade advised that Mr. Ichniowski indicated that it would take additional time to determine whether any projects in the asphalt overlay met federal standards. Mr. Wade recommended that the Commissioners approve proceeding with the Capital Budget as presented and staff would explore whether the Yowaiski Mill Road funds could be transferred to another project.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to direct staff to proceed to prepare the Capital Budget, which includes a bond issue of \$13,038,754, to take to public hearing. Motion carried.

Revenues

The proposed budget includes reinstatement of the Accommodations Tax; transfer station fees; and property tax decrease.

The Commissioners discussed the transfer stations fee and raised the following points:

- o Whether it should be phased in
- o Whether citizens would pay the fee or dump trash along the road
- o Whether \$500,000 would be generated from the fee, and if not that the property tax rate could not be decreased the additional \$.01.

Staff was directed to proceed with the Recommended Budget Revenues as presented and to prepare a specific cost proposal relative to transfer station fees.

Expenditures

Board of Education

Also Present: Ed Fitzgerald, Asst. Superintendent for Adm.

Relative to the issue of parity discussed at last week's meeting, the County Administrator indicated preliminary information prepared by staff included only actual dollars paid to salaries and actions over the past two years. He pointed out that the Commissioners will be meeting with the Board of Education during the budget process and suggested that the Budget be prepared as recommended. Any changes could be made prior to finalization of the Final Budget. The budget includes an increase of \$2,582,259 over last year's budget and a one-time grant of \$900,000. Mr. Wade advised that it would cost the County approximately an additional \$660,000 to fund the negotiated agreements.

Farmers' Market

Commissioner Thompson moved, seconded by Commissioner Jarboe, to increase funding to the Farmers' Market by an additional \$5,000 under the Agriculture/Seafood Commission. Motion carried four to one with Commissioner Loffler voting against.

Animal Control

Because of the anticipated request by Charles County to participate in funding expansion to the Regional Animal Shelter, Commissioner Jarboe moved to place \$5,000 in the budget to look into the establishment of a local animal shelter. Motion died for lack of a second.

Airport Manager

Commissioner Thompson noted that funds had not been budgeted for an Airport Manager and indicated that if the need arises, the Commissioners should look into a part-time manager and a source of funding.

Computerization (Department of Planning and Zoning)

The County Administrator advised that there is \$40,000 in the Budget to look at computerization for land management (Public Works and Department of Planning and Zoning) and the criminal justice system. Commissioner Loffler indicated he believed that the Department of Planning and Zoning's system should be a priority and that a portion of those funds be used for bringing in a consultant.

In conclusion the Commissioners directed staff to prepare the Fiscal Year 1995 Recommended Budget as outlined, which will be presented to the Board next week for consideration.

BOARD OF EDUCATION - MARCH 29 MEETING

Relative to the meeting scheduled on March 29 with the Board of Education, Commissioner Loffler indicated that the following items will be discussed: verification of calculations for the negotiated agreements; projections for school enrollment; dialogue relative to increased staff and classroom sizes; and relationship of funding and testing results.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) **Development Documents**

Mr. Ichniowski presented the following documents for the Commissioners' review and consideration:

Addenda to Public Works Agreements

Carmen Woods at Tosca "Parcel D" - Between Interstate General Company 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 with Maryland National Bank in the amount of \$10,000.

Hickory Hills, Phase I - Between Hickory Hills Townhomes Limited Partnership and Jimmy Richards & Sons Excavating and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to July 1, 1994. The Addendum is backed by a Bond with Fidelity & Deposit Company of Maryland in the reduced amount of \$15,000.

Jenni's Dawn - Between Norris Pyles 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 with County First Bank in the amount of \$92,000.

Greenbrier (formerly Whaler's Creek Runn) Section 1 - Between Heritage Manor Homes of Lexington Park, Inc. and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to April 1, 1995. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$408,300.

Greenbrier (formerly Whaler's Creek Runn) Section 2 - Between Heritage Manor Homes of Lexington Park, Inc. and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to April 1, 1995. The Addendum is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$408,800.

Correspondence Calling Letters of Credit

Southgate Center - To Maryland Bank & Trust Company calling Letter of Credit #412-D in the amount of \$52,000 for Grading Permit #91-10

Church of Jesus Christ of Latter Day Saints - To Federal Insurance Company calling Bond No. 8126 82 39 in the amount of \$101,400 for Grading Permit #92-33.

Summerwood, Section 2 - To First National Bank of St. Mary's calling Letter of Credit #A1-4-15-1991 in the amount of \$60,000 for Grading Permit #91-24.

Summerwood, Section 2 - To First National Bank of St. Mary's calling Letter of Credit #A1-4-15-1991 in the amount of \$90,000 for Public Works Agreement.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Addenda to Public Works Agreements and the correspondence calling Letters of Credit (which will be forwarded if necessary) as presented. Motion carried.

2) **Indian Bridge Road
House Bill 1597 (Endangered Species Conservation Act)**

As a follow up to previous discussions and the hearing on referenced House Bill 1597, Mr. Ichniowski presented correspondence to the Committee on Environmental Matters emphasizing the importance of the passage of this bill so that the Indian Bridge Road highway safety project can move forward. The letter cites the history of the project including the issue of the narrow mouth toad and describes other state projects that have occurred on this road.

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

3) **Status of Laurel Ridge - Arlington Drive**

In response to an inquiry from Commissioner Loffler, Mr. Ichniowski advised that he was working with the developer on the referenced project. Commissioner Loffler suggested that once the project is finalized, that there be another public meeting to keep the citizens of the area informed.

EXECUTIVE SESSION

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss matters of Property Acquisition (Yowaiski Mill Road and St. Mary's County Airport), Property Disposition (St. Mary's Press), as provided in Article 24, Section 4-210(a)11. Motion carried.

Property Acquisition - Yowaiski Mill Road

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Joe Densford, County Attorney
Dan Ichniowski, Director, DPW
Ben Burroughs, developer
Judith A. Spalding, Recording Secretary

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

Time Held: 4:10 p.m. - 4:30 p.m.

Action Taken: The Commissioners discussed the issue with staff and Mr. Burroughs and directed Mr. Ichniowski to prepare appropriate correspondence to Mr. Burroughs.

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

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

Time Held: 4:30 p.m. - 4:40 p.m.

Action Taken: The Commissioners discussed the acquisition of property at the St. Mary's County Airport and agreed that the proposals should go through the Airport Commission.

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
Joe Densford, County Attorney
Dan Ichniowski, Director, DPW
Mary Pat Pope, Administrative Officer
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11
Time Held: 4:40 p.m. - 5:05 p.m.

Action Taken: The Commissioners discussed proposals for the disposition of the St. Mary's Press property and agreed for staff to return at a later meeting with recommendations.

ADJOURNMENT

The meeting adjourned at 5:05 p.m.

**Minutes Approved by Board of
County Commissioners on 3/29/94**

Judith A. Spalding
Recording Secretary