

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS
OCTOBER 4, 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 Lancaster moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, September 27, 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) **State's Attorney
Personnel**

As a follow up to previous discussion, the County Administrator presented the following memoranda from the Personnel Officer relative to State's Attorney's Office personnel:

- Memorandum dated October 4, 1994 recommending the establishment of a new Assistant State's Attorney position to be the Chief of District Court Division and that the current Chief of District Court be reassigned to the Child Support Division and Circuit Court.
- Memorandum dated October 4 requesting approval to change the vacant Forfeiture Clerk position (Grade 13) to a Secretary IV position (Grade 14).

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve the State's Attorney's personnel requests as presented. Motion carried.

2) **Sludge Utilization Permit Application**

The County Administrator presented standard letter addressed to the Maryland Department of Environment waiving the County's right for a public hearing/meeting on the sewage sludge utilization permit application for the Raymond Hutchins property in Calvert County (within one mile of St. Mary's County), which was forwarded by MDE by correspondence dated September 26. The letter reiterated the Commissioners' ongoing concerns over environmental safety and land records notification.

Commissioner Bailey moved, seconded by Commissioner Thompson, to sign and forward the letter as presented. Motion carried four to one with Commissioner Jarboe voting against.

3) **Office on Aging**
Title III

On behalf of the Director of the Office on Aging, the County Administrator presented the referenced Notification of Grant Award for the first six months of Fiscal Year 1995 in the total amount of \$85,363 for the Commissioners' review and approval:

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

4) **Library Personnel Salaries**

As a follow up to the August 30 Executive Session, the County Administrator presented correspondence addressed to the Library Board of Trustees regarding the Library Board's decision to adjust the Library salary schedule by adding a seventh step at 3%. The letter advises that it would have been a better arrangement if the Library Board had discussed the action with the Commissioners. It also indicates that the issue of a classification and salary study would be delayed for consideration until a study of all County Government is effected, probably during Fiscal year 1996.

Discussion ensued regarding this issue and Commissioner Loffler questioned the Library Board's decision to place salaries as a priority when during the budget cycle, they had indicated a need for books and periodicals.

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

5) **Appointments**
Boards, Committees, Committees

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

<u>Commission for Women</u>	<u>Terms To Expire</u>
Andrea Dyson	06/30/97/2001
<u>Community Services Coordination Committee</u>	
Chantal Adams	NO TERM
Patricia Bolds	NO TERM
Cynthia A. Brown	NO TERM
Paul Enoch	NO TERM
Bruce Goodpaster	NO TERM
Kimberly Gscheidle	NO TERM
Jack Hormell	NO TERM
Carol Locke-Endy	NO TERM
Nancy Luginbill	NO TERM
William J. Marek	NO TERM
Jennie Page	NO TERM
Kathy Rodman	NO TERM
Carol Wells	NO TERM
<u>Plumbing Board</u>	
John W. Castle	6/30/97
<u>Tri-County Community Action Committee</u>	
Margaret C. Forrest	6/30/97

6) **Lease Agreement
Prototype**

Also Present: Jim Haley, Procurement Officer

As a follow up to previous discussion, Mr. Haley presented a Lease between the Board of County Commissioners of St. Mary's County and Prototype Specialists for 5,600 square feet of the former St. Mary's Press building at the St. Mary's County Industrial Park. The lease, which is for a period of ten months, includes a 90-day termination clause.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Lease Agreement as presented.

7) **Department of Public Works Items**

On behalf of the Department of Public Works, the following documents for the Commissioners' consideration:

Addendum to Public Works Agreement

Jenni's Dawn, Section 4

Between Norris Pyles and St. Mary's County extending the deadline for improvements to December 1, 1994. The Addendum is backed by a Letter of Credit with County First Bank in the amount of \$16,000.

Addendum to Public Works Agreement

Tosca (Parcel "C") Warwick

Between Interstate General Company and St. Mary's County extending the deadline for improvements to December 1, 1994. The Addendum is backed by a Letter of Credit with Interstate General Company the amount of \$30,000.

Addendum to Public Works Agreement

Tosca (Parcel "D") Carmen Woods

Between Interstate General Company and St. Mary's County extending the deadline for improvements to December 1, 1994. The Addendum is backed by a Letter of Credit with Interstate General Company the amount of \$10,000.

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

**COMMISSION FOR WOMEN
DOMESTIC VIOLENCE AWARENESS**

The Commissioners attended the reception for the Commission for Women's Domestic Violence Awareness Month at the Carter State Office Building and presented a Proclamation designating the Month of October as Domestic Violence Awareness Month.

PROCLAMATIONS

The Commissioners presented the following Proclamations:

Tootsie Roll Month

Designating the Month of October as Tootsie Roll Month for support of Mentally Retarded Citizens.

Crime Prevention Month

Designating the Month of October as Crime Prevention Month

EXECUTIVE SESSION

Commissioner Lancaster moved, seconded by Commissioner Bailey, to meet in Executive Session to discuss a matter of Litigation), as provided in Article 24, Section 4-210(a)8 and Property Acquisition, as provided for in Article 24, Section 4-210(a)11. Motion carried.

Litigation (The Skydiving Center)

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, DPZ
George Erichson, Deputy Director, DPW
Airport Commission Members: Dave Seeman, Chair; Glenn Gardiner;
John Pliesse; William McGuire; Pete Weiskopf
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)8
Time Held: 10:55 a.m. - 11:43 a.m.

Action Taken: The Commissioners were updated relative to a legal matter and gave direction as to how to proceed.

Later in the meeting County Administrator Cox presented correspondence addressed to The Skydiving Center regarding the County's auditing requirements in its lease at the St. Mary's Airport.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to sign and forward the letter as presented. 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
Joseph Densford, County Attorney
Dan Ichniowski, Director, DPZ
George Erichson, Deputy Director, DPW
Airport Commission Members: Dave Seeman, Chair; Glenn Gardiner;
John Pliesse; William McGuire; Pete Weiskopf
Judith A. Spalding, Recording Secretary

(John Pliesse left the session at 11:50 a.m.)

Authority: Article 24, Section 4-210(a)8
Time Held: 11:43 a.m. - 12:05 p.m.

Action Taken: Airport Commission Members and county staff discussed a proposal relative to a lease at the St. Mary's County Airport. The matter will be discussed in greater detail at a later meeting.

STAFF MEETING

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

7:00 P.M.

EMERGENCY SERVICES STUDY COMMITTEE (ESTABLISHMENT OF AN EMERGENCY SERVICES COMMITTEE)

Present: Joe Carroll, Chair, Emergency Services Study Committee
Representatives of Fire Departments/Rescue Squads/ALS

Mr. Carroll advised the purpose of the meeting was for the Emergency Services Study Committee to present a proposal for the establishment of an Emergency Services Committee. He explained the history of the Committee beginning with the appointment of the Master Plan Committee in 1988 by the St. Mary's County Fire Board, the awarding of the contract for the study in 1990 and number of accomplishments from 1992 - 1994.

During his presentation Mr. Carroll presented the proposed Agreement for the establishment of the ESC and stated that the vote by the Committee was 12 in favor and two opposed--Leonardtown and Mechanicsville Fire Departments, who will be making Minority Reports.

George Kalnasy, representing Leonardtown Fire Department, presented a letter to the Commissioners explaining the Department's position, but indicated they would participate in the Committee appointed by the County Commissioners.

William Wilkerson, representing Mechanicsville Fire Department, presented a letter to the Commissioners indicating they did not support the establishment of the Committee and would not sign the Agreement.

At the conclusion of the presentations and comments by the County Commissioners the representatives of the Fire Departments, Rescue Squads, Advanced Life Support, Fire Board, and Rescue Squad Association signed the Agreement for the Establishment of the St. Mary's County Emergency Services Committee. (Leonardtown and Mechanicsville Fire Departments did not sign the Agreement.)

In order to allow time to review the Minority Reports, the County Commissioners deferred action on the signing of the Agreement and the Resolution establishing the Committee.

PUBLIC FORUM

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

Daphne McGuire - Questioned the Commissioners' decision to not hire a Recycling Coordinator, but to include the responsibilities in one of the vacant engineering positions. Commissioners Bailey and Jarboe explained their reasons for voting to readvertise the position as an Engineer. Commissioners Loffler and Thompson indicated the need for a Recycling Coordinator position.

Vaughn McCall - (1) Supported the use of taxpayers' money for training of emergency service volunteers; (2) Stated that trash hauling companies should be providing recycling services to residents and businesses; (3) Complimented Ken Hasting's article in the Today newspaper about voting and pointed out another article in the paper about elected versus appointed school board. He requested the Commissioners to give their opinions on the matter in order to help the

public make a decision. (4) Referred to the Naval Air Warfare Center meeting regarding the expansion of the Navy Base and questioned whether federal funds are available to support the additional infrastructures that may be needed. He suggested that the County's congressional and legislative delegation be contacted to enlist their support for federal and state funding. Commissioner Loffler advised that county agencies have been actively involved in the process including commenting on and correcting information in the Impact Statement. He further explained the Pine Hill Run Wastewater Treatment Plant's capacity, the use of the reserve on the base, and funding from the federal government for the redevelopment of the Lexington Park area.

Alan Moore - Advised that he got a copy of the Recycling Report from Public Works which indicates that the county was not at 18% as reported by the Director of DPW, but at 15.31%.

Ken King - (1) Inquired about the time frame for getting 51% of property owners to sign petition for road naming (Compton Road). Commissioner Loffler advised that the request for road name must be submitted within ten days after the September 27 public hearing; however, the petition containing 51% can be presented within 60 days after the last public hearing which is scheduled for October 25. (2) In response to Mr. McCall's comments about the base expansion, Mr. King noted that the impact on St. Mary's County will not be as large as originally anticipated and stated that it would be a larger impact if the Base were to close.

Beth McCoy - Pointed out that she was the one who started the issue about having a window of opportunity for a petition process to change a road name. She stated that according to the County's policy it provides for a public hearing process, but does not guarantee that the road will be named as requested in the petition. She stated she and others are working hard to find out the owners of property along Route 5 in order to get a petition of 51% to request the name of Point Lookout Road.

Rae Thompson - (1) Advised that the League of Women Voters had a forum on September 29 on the issue of the elected versus appointed school board (in response to Vaughn McCall's comments) and that it will be televised on Channel 10. (2) Referred to the County's budgeting of \$2500 for the filming of Commissioners' Highlights for a period of 12 weeks. She indicated that the 12 weeks have elapsed and questioned the filming by Dave Taylor at today's Commissioners' meeting. Commissioner Thompson responded that she had hired Mr. Taylor for this filming and that it was not a part of county government.

Pat White - Advised that the tape of the LWV's forum, as well as tapes of the County Commissioners' meetings, are available in the Leonardtown Library.

Keith McGuire - Inquired whether public information was available relative to FERST's suit against the County. County Administrator Cox pointed out that the fact finding has not yet occurred, there have been discussions about what it would take to settle the case, and no additional information is available at this time. Commissioner Loffler stated that the Commissioners had not approved anything relative to the FERST landfill other than signing a letter regarding municipal solid waste compost. He indicated that decisions on this matter had been made by volunteers on the county's boards.

Ken Hastings - Commented on the FERST lawsuit and pointed out that the damaging action had been done by county staff and not by volunteers.

The Public Forum concluded at 8:40 p.m.

**Minutes Approved by Board of
County Commissioners on 10/11/94**

Judith A. Apalduing
Recording Secretary