

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, August 7, 1990

Present: Commissioner Carl M. Loffler, Jr., President  
W. Edward Bailey, Commissioner  
Robert T. Jarboe, Commissioner  
John G. Lancaster, Commissioner  
Rodney Thompson, Commissioner  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording

(Commissioners Bailey and Thompson were not present at beginning of meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster to approve the minutes of the Commissioners' meeting of Tuesday, July 31, 1990. Motion carried.

PAYMENT OF BILLS

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve payment of the bills as submitted. Motion carried.

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) SENIOR COORDINATING COMMUNITY CARE

The County Administrator reminded the Commissioners of the presentation by the Deputy Health Officer, Social Services Director, and the Office on Aging Director relative to the referenced program. He stated that funds have been applied for and received by the State Office on Aging. Therefore, County Administrator Cox presented a Contract between Maryland Office on Aging, on behalf of the Interagency Committee on Aging Services, and St. Mary's County for the Senior Coordinating Community Care Program (Gateway II). The contract has been approved by the Maryland Office on Aging for Fiscal Year 1991 in the amount of \$73,319.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the contract as provided. Motion carried.

(Commissioner Bailey entered the meeting.)

2) PEGG'S ROAD CONSTRUCTION

The County Administrator presented the following agreements relative to using a portion of the property owners' property for the construction of Pegg's Road:

Agreement between Board of County Commissioners and Benjamin P. Johnson and Veronica M. Johnson;

Agreement between Board of County Commissioners and William Calvert Bean and Grace E. Bean.



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

3) INFORMATION RELEASE  
JOSEPH CARTER STATE OFFICE BUILDING  
PUBLIC MEETING ROOM

The County Administrator presented an Information Release regarding the Commissioners initiating the use of the new Public Meeting Room located in the Joseph Carter State Office Building.

4) BUDGET AMENDMENT NO. 91-03  
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 funds for work stations and supplies for new purchased computers and for replacement of dictaphone equipment.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Budget Amendment as presented. Motion carried.

5) OFFICE ON AGING FEES

The County Administrator presented correspondence responding to concerns expressed by Regina Abell at the July public forum relative to fees for services provided to senior citizens by the Office on Aging. The letter states that the matter has been referred to the Commission on Aging whose members have discussed the issue and have agreed to make a policy decision by September 15.

The Commissioners agreed to sign and forward the letter.

6) SELF-ESTEEM-RELATED PROGRAMS

The County Administrator advised that Secretary Rogers of Maryland Department of Housing and Community Development requesting to be provided with information on the county's current programs relative to self-esteem in conjunction with the Governor's Task Force on Self-Esteem. County Administrator Cox presented a response forwarding the county's program initiatives on self-esteem.

The Commissioners agreed to sign and forward the letter.

7) LITTLE FLOWER SCHOOL  
REQUEST FOR USED PLAYGROUND EQUIPMENT

The County Administrator presented correspondence dated July 26 from Little Flower School requesting the used playground equipment from Frank Knox School. Mr. Cox stated that he checked with public school authorities and learned that no public school had expressed an interest in the equipment.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to grant Little Flower School's request for the used playground equipment from Frank Knox. Motion carried.



8) PERSONNEL

The County Administrator presented the following personnel items for the Commissioners' review and consideration:

- Reclassification of Position  
Planning and Zoning

Memorandum dated August 6 from Personnel Office requesting approval to change the Secretary I/Steno, Grade 12, position to a Secretary II/Typing, Grade 12 in that the County has been unable to recruit secretaries with stenographic qualifications.

Commissioner Bailey moved, seconded by Commissioner Jarboe to approve this request. Motion carried.

- Establishment of Temporary Correctional Officer II positions  
Sheriff's Department

Memorandum date August 6 from Personnel Office advising that the Sheriff has requested the establishment of two Correctional Officer II positions in order to provide broader supervision on each shift at the Detention Center. The positions are temporary and are needed until the five vacant Correctional Officer III positions are filled.

Commissioner Lancaster moved, seconded by Commissioner Bailey to approve the request as presented. Motion carried.

- Extension of Temporary Promotion  
Transportation Manager  
Office on Aging

Memorandum dated August 6 from Personnel Office requesting temporary promotion of Francis A. Hammett, Transportation Assistant, to the Transportation Manager position be extended until the Transportation Manager position can be filled or until December 1.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve extension of the temporary promotion. Motion carried.

9) MARYLAND INDUSTRIAL LOAN ACT  
MARYLAND INDUSTRIAL AND COMMERCIAL REDEVELOPMENT FUND LOAN  
ST. MARY'S PRESS PROJECT

The County Administrator presented a memorandum from the Finance Office advising that the Maryland Department of Economic and Employment Development had recalculated the amortization of all loans made under the Maryland Industrial Land Act Loan and the Maryland Industrial and Commercial Redevelopment Fund Loan. A new amortization schedule for the St. Mary's Press project has been amended to reflect the discrepancies resulting from a change in the computer system, and Mr. Loffler is required to sign the Modification to the Promissory Note

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



10) MISSION STATEMENT  
REGIONAL TOURISM COMMITTEE

The County Administrator presented correspondence addressed to the Chairperson of the Southern Maryland Regional Tourism Committee indicating the Mission Statement for the Regional Tourism Committee is consistent with the goals and objectives the Commissioners would like to see the group attain. The letter further indicates that the County's budget cycle begins December 1 and the Tourism Committee's budgetary requests should be submitted through the County's Department of Economic and Community Development.

The Commissioners agreed to sign and forward the letter.

11) ECONOMIC DEVELOPMENT COMMISSION  
RESPONSE TO RECOMMENDATIONS

The County Administrator presented correspondence addressed to the Chairman of the Economic Development Commission responding to the nine recommendations submitted for the Commissioners' attention.

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

12) REZONING RESOLUTION  
ZPUD #90-0444 - OAK CREST CENTER

The Commissioners having conducted a public hearing on July 17, 1990 on the referenced rezoning application, the County Administrator presented a Zoning Amendment Resolution granting the application to designate the property as PD-IP.

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

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) ROAD RESOLUTION NO R-90-25  
STRICKLAND ROAD

Mr. Ichniowski presented the referenced Road Resolution posting Strickland Road, Eighth Election District, at 25 miles per hour.

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

2) PUBLIC WORKS AGREEMENTS

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

- Pilgrim Manor Subdivision

Dated June 27, 1990 between St. Mary's Properties, Inc. and Board of County Commissioners guaranteeing completion of Tippity Witchity Drive and Pilgrims Court in Pilgrim Manor Subdivision by July 1, 1991. The Agreement is backed by a Letter of Credit in the amount of \$75,000 with First National Bank. of St. Mary's.



- **Pickett's Manor**

Dated June 27, 1990 between Heritage Manor Homes and Board of County Commissioners guaranteeing completion of Pickett Court in Pickett's Manor, Eighth Election District, by July 1, 1991. The Agreement is backed by a Letter of Credit in the amount of \$89,300 with Maryland Bank and Trust.

- **Pyles Acres**

Dated June 14, 1990 between Edward B. Howlin, Inc. and the Board of County Commissioners guaranteeing completion of Mara-Lee Drive and Mara Lee Court in Pyles Acres, Sixth Election District, by June 1, 1991. The Agreement is backed by a Letter of Credit in the amount of \$142,000 with Maryland National Bank.

Commissioner Bailey moved, seconded by Commissioner Lancaster to approve and authorize Commissioner Loffler to sign the Public Works Agreements as presented. Motion carried.

3) SOLID WASTE DISPOSAL SERVICE CONTRACT

Mr. Ichniowski presented the Solid Waste Disposal Service Contract between the U. S. Department of Navy and St. Mary's County Government. He stated that his department has negotiated with the Navy relative to this and arrived at an estimated cost of \$7,416 for solid waste from the Naval Air Station and NESEA. This amount is based on \$12 per ton which is the difference between amount by solid waste haulers at \$18 per ton and \$30 a ton charged to institutional users by St. Mary's County. Therefore, Mr. Ichniowski recommended that the Board authorize the President of the Board to sign the Contract as presented.

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

4) RECYCLING PLAN FOR ST. MARY'S COUNTY

Also Present: Dave Gerdel, Supervisor of Engineering

Mr. Gerdel presented and reviewed the final plan for St. Mary's County Recycling Project. He explained the history stating that the Maryland Recycling Act required the County to develop a plan by August 1990. A consultant was hired, committee established, and recycling efforts started. Mr. Gerdel reviewed a proposed schedule of specific functions to implement the plan which include approval to hire a recycling project manager, public education, drop-off transfer stations, review of commercial sector recycling in 1990 to monitoring and review in 1994 and beyond.

During discussion of the recycling effort, Commissioner Loffler suggested that County Government start using recycled paper beginning with the Commissioners' office. The Commissioners agreed with the concept and suggested that the county ensure that the county's equipment can handle the paper adequately.

In conclusion Mr. Gerdel presented a cover letter for the Commissioners to sign forwarding St. Mary's County's Recycling Plan to the State. The Commissioners agreed to sign the letter as presented.



5) CAPITAL PROJECT STATUS REPORT

Also Present: Dave Gerdel

For the Commissioners' information, Mr. Ichniowski and Mr. Gerdel presented a Project Status Report listing projects by priority, giving cost estimates, and time schedules. Mr. Ichniowski advised that this report will be included in the quarterly project report to the Commissioners and is also designed to help his office determine if a project is on schedule.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of Personnel (Boards, Committees and Commissions). Motion carried. The Session was held from 10:40 a.m. to 11:45 a.m.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting at the Garvey Senior Center.

OFFICE OF PLANNING AND ZONING

Present: Jon Grimm, Director, Planning & Zoning  
Barbara Midkiff, Recording Secretary

1) PUBLIC HEARING  
ZPUD #89-1916 - HUNTING QUARTER, PHASE II

Also Present: Al Watson, Applicant  
Tom Watts, "

(Major Amendment to PUD)  
Requesting rezoning from PDR.92 to PDR2.0.  
Owners: Tom Watts and Alva Watson. Located off of  
Route 5, Callaway in the 2nd Election District on  
Tax Map 50, Block 16, Parcel 89.

Mr. Grimm stated the property is currently developed in part as residential property with some remaining open space. Residential development surrounds the property. The property has been identified in a Notice of Public Hearing which appeared in The Enterprise on July 20 and 25, 1990 as required by the State Code and the County Zoning Ordinance. A proposal has been presented to and reviewed by the Planning Commission. Mr. Grimm asked that the applicant come forward and make their presentation, and stated that there is a requirement for the applicant to provide evidence of the posting of the property and mailing notices to the adjoining property owners.

Mr. Watts provided evidence, for the record, of certified mailings to the adjoining property owners (Exhibit #A-1).

Mr. Watson stated that they are requesting zoning according to the proposed use of the property and clarified Mr. Grimm's statement that this project has been through the review cycle.



Mr. Grimm stated the Planned Development designation was granted in November 1983 for the PDR.92 and that this development has been "built out" and that the developer is requesting additional development which constitutes a major amendment to the approved Planned Unit Development. There will be open space requirements. The Plan provided by the developer meets, or exceeds the requirements

Mr. Loffler opened the floor and received no public comment.

Mr. Grimm stated that the Planning Commission identified the need for approximately 5 1/2 acres of developed recreation space with convenient access, and required reconfiguration of Phase Two to move the townhouse section away from the perimeter buffers to impose as little as possible additional traffic on single family units. He stated that the request will now convert a portion of the open space to additional residential density while still maintaining enough open space on the property as a whole, to comply with the requirements of the PUD section of the Zoning Ordinance.

After further discussion Mr. Loffler stated that this project will be put on the agenda for a decision in two weeks, and the record will remain open for ten days.

2) DECISION DISCUSSION  
ZONE #90-0466 - BAY CENTER

Mr. Grimm stated that during a meeting on July 10, 1990, the applicant made a presentation regarding rezoning of the property and acknowledged that barring unforeseen circumstances, that this property would become Commercial, effective August 1, 1990. He stated that there have been no unforeseen circumstances. The applicant understood that this would not come back before the Commission, and he is not present today. This property is currently zoned Commercial General. He stated that it is his opinion that a decision concerning this application is not necessary.

Mr. Loffler stated that in light of Mr. Grimm's statement, a decision is not necessary.

FIRST DISTRICT SEWAGE TREATMENT

The County Administrator presented a memorandum to the Commissioners recommending the convening of a meeting to fully discuss alternatives regarding the provision of sewage treatment in the First District. Suggested attendees include Senator Fowler, Delegate Slade, Secretaries of Natural Resources and Environment, County Commissioners, Metropolitan Commission, Planning Commission, Public Health Officer, County Administrator, County Attorney, Directors of MetComm, Planning and Zoning and Environmental Health. Issues to be addressed include: Regional approach vs. Airedele Road approach, Point Lookout Sewage Treatment Facility, and Funding availability and conditions.

After discussion the Commissioners directed the County Administrator to proceed with a public meeting as outlined.

ST. CLEMENTS BAY - OYSTER SEEDING

Present: Tucker Brown, Watermen's Association  
Butch Cornelius, "

The referenced individuals appeared before the Commissioners to request \$1500 to match funds from the Watermen's Association in order to



transport oyster seeding to St. Clement's Bay. Mr. Brown advised that the State will provide at no charge, the oyster seeding, and funds are needed to haul it to reseed St. Clements Bay. He stated that St. Clement's Bay had been closed because of pollution in 1968, is now open, and the Watermen would like to get the area started again for oystering.

After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to provide \$1500 matching funds to the Watermen's Association for transporting oyster seeding to St. Clement's Bay. Motion carried. Possible source of funding is the Agriculture/Seafood Commission budget of the Department of Economic & Community Development.

#### PEGG'S ROAD CONSTRUCTION

Present: Joe Densford, County Attorney  
Dan Ichniowski, Director, Public Works

Mr. Densford and Mr. Ichniowski appeared before the Commissioners regarding final negotiations with Suburban Limited for acquisition of the necessary rights-of-way for the construction of Peggs Road. Mr. Ichniowski advised that once the agreement is signed by the property owner, it is to be signed by the President of the Board. Therefore, Mr. Ichniowski requested authorization from the Board for Commissioner Loffler to sign the Agreement.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Agreement with Suburban Limited upon receipt of the document as requested. Motion carried.

7:00 P. M.

#### GREAT MILLS TASK FORCE

Present: Sue Smith  
Norma Pipkin  
Other Interested Citizens

The referenced individuals appeared before the Commissioners to present by way of slides, pictures and charts parents concerns regarding the Great Mills High School facility and athletic fields. Mrs. Smith reviewed the funding for Great Mills in comparison to Leonardtown and Chopticon and stated that Great Mills has received less. She further review the capital project lists for the next several years and the priority listing pointing out that the Task Force felt that the projects were unevenly distributed.

Mrs. Pipkin gave a slide presentation pointing out the condition of the tennis courts, baseball field, and press box at Great Mills and comparing them with the fields at Chopticon and Leonardtown High Schools. She further pointed out the poor condition of the parking lot and that lighting is needed.

Recommendations by the Task Force to the Board of Education included: acceleration of Great Mills High School Capital Improvement requests, appointing of a panel to review capital improvement requests and assign priorities, and provide opportunities for schools to present capital improvement requests.



During discussion of the park area leased to Recreation and Park's for land at Great Mills High School, the Task Force members indicated that they believed a conflict existed between Recreation and Park's controlled use of a sizeable portion of the Great Mills High School site and that the lease agreement for the use of that property negotiated in 1968 has outlived its usefulness. The representatives requested the Commissioners to review the lease and hopefully to agree that the lease should be rescinded and the property returned to the control of the Great Mills High School. The Commissioners agreed to review the lease with the Director of Recreation and Parks, John Baggett, and directed the County Administrator to arrange a meeting with Mr. Baggett.

ADJOURNMENT

The meeting adjourned at 8:00 p.m.

PUBLIC FORUM

The Commissioners conducted the regular monthly Public Forum receiving questions and comments from the audience as follows:

- Patricia Woodburn - Questioned the Commissioners adoption of the Transfer Tax as it relates to the Open Meetings Law.

Commissioner Loffler explained the process i.e, public hearing was held wherein comments were received, record was held open for ten days; the Commissioners on their scheduled agenda discussed and voted on the adoption of the Transfer Tax in open session.

- Louis Eberle - Stated that Developers and Realtors price themselves out of the market

- Alan Brylawski - Inquired as to the EDC Report regarding transfer tax.

Mr. Cox will provide him with a copy of the report.

- Minnie Russell - Inquired as to status of the First District sewer line project.

Commissioner Loffler advised of the meeting being arranged by the County Administrator to discuss this.

Inquired as to the status of compost in the County.

Commissioner Loffler advised that the Commissioners adopted a Resolution allowing composted sludge as long as it had appropriate inspections and has been certified.

- Barbara Thompson - Urged citizens to attend the meeting to be arranged by the County relative to the First District Sewer Line in order to express opposition to the State's shutting down the Point Lookout plant.



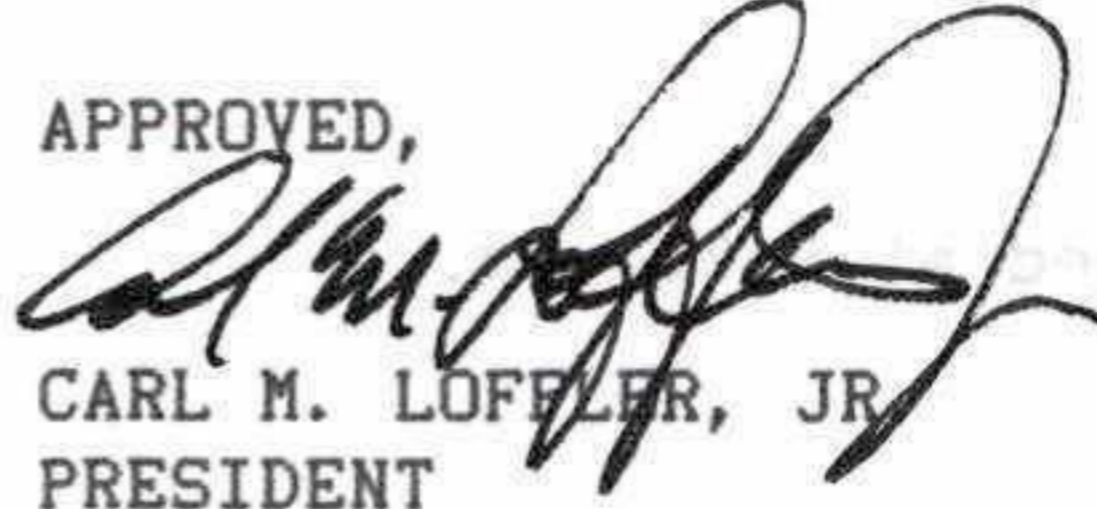
Joseph Greenwell  
Rock.

- Inquired as to status of survey of Md.

Commissioner Loffler stated that the consultant is still working on the survey and suggested that the Director of Planning and Zoning come before the Board to discuss this.

The Public Forum concluded at 8:55 p.m.

APPROVED,



CARL M. LOFFLER, JR.  
PRESIDENT

EXHIBIT  
PUBLIC FORUM