

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, January 29, 1991

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

CALL TO ORDER

The meeting was called to order at 9:05 a.m.

(Commissioners Loffler and Lancaster were not present at beginning of meeting.)

APPROVAL OF MINUTES

Commissioner Thompson moved seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, January 22, 1991. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) APPOINTMENT  
PLANNING COMMISSION

Commissioner Jarboe moved, seconded by Commissioner Thompson, to appoint Joseph E. Gardner to the Planning Commission for a term to expire December 31, 1995. Motion carried.

2) INFORMATION RELEASE  
1990 CENSUS

The County Administrator presented an Information Release advising that the U. S. Department of Commerce, Bureau of the Census has released the 1990 census for St. Mary's County showing a population of 75,974, a 27% increase over 1980.

The Commissioners agreed to distribute the Information Release as presented.

3) CORRESPONDENCE TO GOVERNOR SCHAEFER  
ST. MARY'S CITY COMMISSION

The County Administrator presented correspondence addressed to Governor Schaefer stating that after reflecting on the various proposals the Commissioners support the proposal of Delegate John Slade to establish a strong and independent St. Mary's City Commission.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to sign and forward the correspondence. Motion carried.



4) CRIMINAL JUSTICE MEETING

The County Administrator presented correspondence addressed to participants in the quarterly Criminal Justice meetings advising that because of the progress being made, a meeting subsequent to the January 22 would not be necessary. As the Pre-trial Supervision and Home Detention Programs develop, the need for a future meeting will be considered.

The Commissioners agreed to sign and forward the letter.

5) BUDGET AMENDMENTS

The County Administrator presented the following Budget Amendments recommended for approval by the Director of Finance with justifications as indicated:

No. 91-36

**Social Services**

Justification: Burial assistance provided by Social Services

No. 91-37

**Non-Public Transportation**

Justification: Additional fuel costs for non-public school transportation.

No. 91-38

**Advanced Life Support**

Justification: Additional costs to upgrade replacement vehicle to one with four-wheel drive capabilities.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Budget Amendments as presented. Motion carried.

6) ALLIANCE POLICY COUNCIL  
"WAR ON DRUGS"

The County Administrator presented correspondence addressed to community leaders inviting them to attend the next Alliance Policy Council meeting on Tuesday, February 26 from 3:00 to 5:00 p.m. at the Carter State Office Building for an up-to-date report on the Council's efforts on the "War on Drugs."

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

(Commissioner Loffler entered the meeting.)

7) SOFTBALL HALL OF FAME  
AGREEMENT

As a follow up to the January 8 presentation by Director of Recreation and Parks Baggett, the County Administrator presented an Agreement between the Board of County Commissioners and St. Mary's County Softball Hall of Fame, Inc. wherein the County leases to the Hall of Fame the first floor of a building to be constructed at the St. Mary's Regional Park. Mr. Cox pointed out that the only revisions to the Agreement are in paragraphs two and three concerning concessions.

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



(Commissioner Lancaster entered the meeting - 9:25 a.m.)

8) COMPREHENSIVE WATER AND SEWER PLAN AMENDMENTS

The Commissioners having conducted public hearings and held subsequent decision discussion, the County Administrator presented the following Water and Sewer Plan Amendments for the Commissioners' review and approval:

Resolution No. W/S 91-01  
Summitt Hill, Section 2  
SPEC #84-0663

Application to amend W/S Plan for property located in Fifth Election District, containing 168.3 acres, zoned RPD/RCA (Part), located on the south side of Oaks Cooksey Swamp Road, approximately 2.7 miles east of Md. Rt. 5, Tax Map 2, Block 15, Parcel 32, from W-6 to W-3.

Resolution No. W/S 91-02  
Charlotte Hall Business Park  
SPEC #89-1911

Application to amend W/S Plan for property located in Fifth Election District, containing 36 acres, zoned C, Commercial, located on the south side of Golden Beach Road, approximately 150 feet east of Md. Rt. 5, known as Charlotte Hall Business Park, Tax Map 1, Block 22, Parcel 42, from W-6 to W-3.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the referenced Water and Sewer Amendment Resolutions. Motion carried.

9) SHERIFF'S OFFICE BASE RADIO STATION AGREEMENT

The County Administrator presented an Agreement between the Sheriff's Office and the Bay District Volunteer Fire Department for the provision of space and reimbursement of electricity for the Sheriff's Office base radio station transmitter, receiver, antenna and tower, which is located on the premises of the Bay District Volunteer Fire Department.

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

10) RESOLUTION NO. 91-01  
DISPLAY OF AMERICAN FLAG

The County Administrator presented the referenced Resolution encouraging all citizens to display the American flag on a daily basis to demonstrate support for those serving in the Armed Forces in the Persian Gulf.

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

MARYLAND'S MOST BEAUTIFUL PARENT PROGRAM

Present: Dr. William Marek, Health Officer

Dr. Marek appeared before the Commissioners to explain the referenced Maryland's Most Beautiful Parent Program and to request the Commissioners' support of this project. Dr. Marek advised the Commissioners that in 1987 the Governor instituted "Maryland's Most Beautiful" Program and Maryland's Most Beautiful Parent is an offshoot of that program. The program is designed to recognize and celebrate







OFFICE OF PLANNING AND ZONING  
ZONE 390-1216 - CEDAR COVE - AICUZ

Present: Jon R. Grimm, Director, OPZ  
Joseph Densford, County Attorney  
Barbara Midkiff, Recording Secretary

Mr. Densford reviewed a site plan with the Commissioners, showing the AICUZ line by using a dashed line rather than a solid line and showing a notation that it is subject to the terms and conditions of a development agreement between the County and the Property Owner back to the early 1980's.

After discussion Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve as staff recommended, using a dashed line showing the AICUZ line, and a note to make referenced to the agreement; staff will prepare an adopting Resolution for the Commissioners' signatures. Motion carried.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) SPECIAL TAXING DISTRICT  
INGLESIDE SUBDIVISION

Mr. Ichniowski distributed the handout for the Public Informational Meeting for road improvements in Ingleside Subdivision near Smith's Nursery Road. There are seven property owners that would be assessed at \$461 per year for twenty years.

After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Mr. Ichniowski to proceed with the taxing district process. Motion carried.

2) CORRESPONDENCE TO ST. MARY'S COLLEGE  
FISHER ROAD

Mr. Ichniowski presented correspondence to Dr. Lewis, President, St. Mary's College regarding the College's plans for construction of a new loop road which requires modification to county-owned Fisher Road. The letter states that it is the County's position that Fisher Road should be turned over to St. Mary's College, and that it would be necessary for the County to go through a formal abandonment process.

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

3) SPOIL DISPOSAL EASEMENT AGREEMENTS  
ST. JEROME'S CREEK FEDERAL NAVIGATION CHANNEL

Mr. Ichniowski presented the following Easement Agreements for the referenced project for the Commissioners' review and approval:

Dated June 14, 1989 between Stephen F. O'Dea, Jr., Lucille E. O'Dea and St. Mary's County

Dated June 14, 1989 between Stephen F. O'Dea, Jr., Lucille E. O'Dea, Patricia B. Polvinale, Mildred Williams and St. Mary's County

Dated June 14, 1989 between Francis Boulanger, Attorney in Fact for Joseph J. O'Dea and St. Mary's County



In addition Mr. Ichniowski presented correspondence addressed to the Army Corps of Engineers forwarding the executed easements and indicating that there is one outstanding easement, which is that of Patricia Polvinale. The letter states that the Board of County Commissioners will hold harmless the United States for any damages incurred as a result of not having 100% authority.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Easement Agreements and to sign and forward the letter to the Corps of Engineers. Motion carried.

4) BOARD OF PUBLIC WORKS CAPITAL PROJECTS GRANT AGREEMENT  
ST. MARY'S COUNTY JAIL PROJECT

Mr. Ichniowski presented the referenced Board of Public Works Capital Projects Grant Agreement between the State of Maryland and St. Mary's County for \$45,000 in grant funds for the architectural/engineering services for the expansion of the jail.

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

5) ADDENDUM TO PUBLIC WORKS AGREEMENTS

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

**Foxview Estates**

- Between Alva Watson/James Raymond Woodburn and St. Mary's County Commissioners extending the deadline for completion of improvements in Foxview Estates, Third Election District, to February 1, 1992.

- **Laurel Ridge, Section 3A**

Between Swarey Builders and St. Mary's County Commissioners guaranteeing completion of improvements in Laurel Ridge, Section 3A, Fifth Election District, to December 1, 1991.

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

6) CORRESPONDENCE CALLING LETTERS OF CREDIT

Mr. Ichniowski presented the following correspondence calling Letters of Credit which will be due February 1, 1990:

**St. Mary's Industrial Park, Section 2**

Grading Permit #89-65

Letter of Credit #1990-278 with Annapolis Federal Savings Bank in the amount of \$16,100

**Tosca Neighborhood Center, Parcel E**

Grading Permit #89-47

Letter of Credit #290260 with Maryland National Bank in the amount of \$9,000

**Abell's Run**

Public Works Agreement

Letter of Credit #A1-3-29-1990 with First National Bank of St. Mary's in the amount of \$207,300.



**Tosca Neighborhood Center**  
**Tosca Boulevard**  
Construction Permit CP09/89 ROW10  
Letter of Credit with Maryland National Bank in the  
amount of \$1,750.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the correspondence to be forwarded if necessary. Motion carried.

7) ACCEPTANCE OF DEEDS  
ROAD RESOLUTIONS

Mr. Ichniowski presented the following Deeds and Road Resolutions for the Commissioners' review and approval:

**Wildewood Subdivision**  
**Extension of Poplar Wood Drive**

Deed dated July 11, 1989 between Paragon Builders and St. Mary's County Commissioners accepting Poplar Wood Drive into the County Highway Maintenance System.

Road Resolution No. R90-62 designating Poplar Wood Drive (Station 6+19 to Station 14+82) as a Stop Street at its intersection with Hickory Nut Drive.

Road Resolution No. R90-63 posting Poplar Wood Drive at 25 miles per hour.

**Shady Dale Subdivision**

Deed dated November 30, 1990 between Warren Hancock Burroughs and Luther Kenneth Burroughs, co-personal representatives of the estate of E. Ray Burroughs and St. Mary's County Commissioners accepting Burroughs Court into the County Highway Maintenance System.

Road Resolution No. R90-58 designating Burroughs Court as a Stop Street at its intersection with Hancock Drive.

Road Resolution No. R90-59 posting Burroughs Court at 25 miles per hour.

**Laurel Ridge Subdivision, Section Two**

Deed dated February 1988 between Israel Z. Swarey and St. Mary's County Commissioners accepting Laurel Ridge Drive, Jennifer Drive, and Esser Court into the County Highway Maintenance System.

Road Resolution No. R90-60 designating the following streets as Stop Streets:

Jennifer Drive as it intersects with Laurel Ridge Drive

Esser Court as it intersects with Jennifer Drive

Road Resolution No. R90-61 posting Laurel Ridge Drive, Jennifer Drive, and Esser Court at 25 miles per hour.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign the referenced Deeds and Road Resolutions. Motion carried.



8) DEPARTMENT OF PUBLIC WORKS  
FISCAL YEAR 1992 BUDGET SUMMARY

For the Commissioners' information, Mr. Ichniowski presented the Department of Public Works Fiscal Year 1992 Budget Summary.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss matters of Litigation and Property Acquisition. Motion carried. The Sessions were held as follows:

**Litigation**

Also Present: Joseph Densford, County Attorney

Session held from 11:35 a.m. to 12:05 p.m.

**Property Acquisition**

Held from 12:05 p.m. to 12:35 p.m.

COUNTY COMMISSIONERS/ECONOMIC DEVELOPMENT COMMISSION

Present: Joseph Mitchell, Director, DECD  
F. Elliott Burch, Jr., Vice-Chair  
Kennedy Abell  
Thomas Bell  
Joe Daley  
Alfred Gough, Jr.  
Joseph Gough  
James McKay  
Ray Runco  
Les Shaw  
Susan Wilkerson, DECD

County Administrator Cox advised that the purpose of this joint meeting was to look at the re-establishment of the Economic Development Commission and to look at the Commission's goals and objectives as contained in Resolution No. 90-03.

Mr. Mitchell distributed a handout setting forth the issues and activities of the EDC and provided the status of each with input from the members of the EDC.

A tape of the proceedings is on file in the Commissioners' Office.

CHARLES COUNTY COMMUNITY COLLEGE AT ST. MARY'S

The Commissioners left the Governmental Center to meet at the Charles County Community College site at Great Mills to look at the needs of the facility and to discuss the Fiscal Year 1992 Budget.

JOINT MEETING

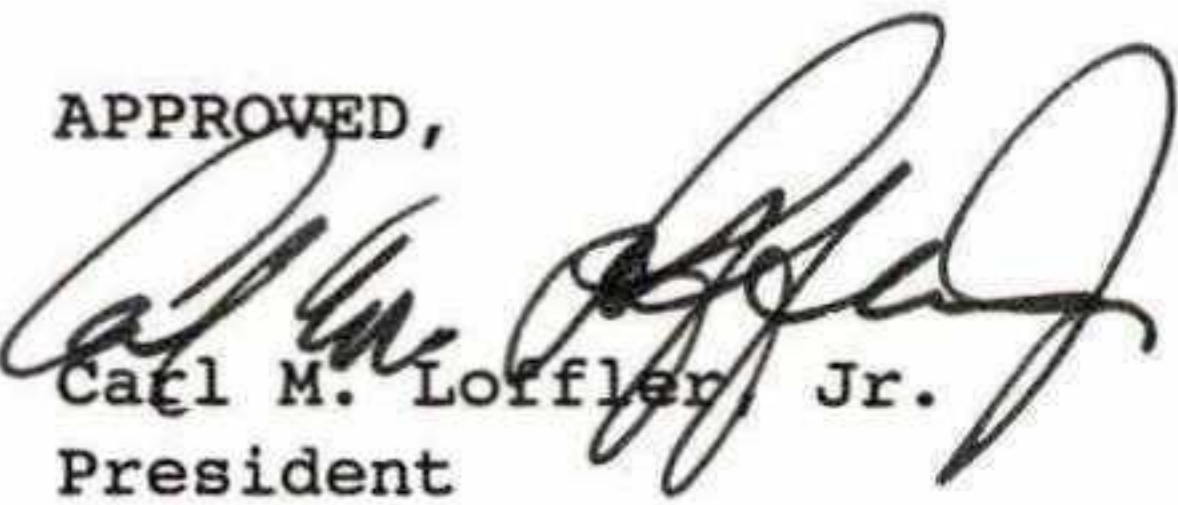
COUNTY COMMISSIONER/PLANNING COMMISSION/BOARD OF APPEALS MEETING

The County Commissioners attended the referenced joint meeting held at Olde Breton Inn for discussion of the Comprehensive Plan and Zoning Ordinance; staff support; communication, and then have open discussion.

ADJOURNMENT

The meeting adjourned at 9:50 p.m.

APPROVED,

  
Carl M. Loeffler, Jr.  
President