

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 5, 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

(Commissioner Bailey was not present at beginning of meeting.)

CALL TO ORDER

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, January 29, 1991. Motion carried.

APPROVAL OF BILLS

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

COUNTY ADMINISTRATOR'S ITEMS

Present: Edward V. Cox, County Administrator

1) PERSONNEL
OFFICE ON AGING

The County Administrator presented a memorandum dated January 29 from the Personnel Office requesting approval to reassign Ms. Cealia M. Reeves from Program Specialist, Long Term Programs position (Grade 15, Step 2) to the Senior Center Manager position (Grade 12, Step 5) within the Office on Aging. Because of grant funding reductions and possible additional reductions in grant funding will not allow the county to maintain both positions. The Senior Center Manager position is current vacant. Both positions can no longer be funded.

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

(Commissioner Bailey entered the meeting - 9:15 a.m.)

2) ASSESSMENT CONCERN RESPONSE

The County Administrator presented correspondence responding to Mrs. Payne's assessment concerns. The letter outlines the process and advises her of the appeal process.

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

3) WATERWAY IMPROVEMENT FUND GRANT APPLICATION
WICOMICO MUNICIPAL GOLF COMPLEX

The County Administrator presented a copy of the referenced grant application for reconstruction of the pier and marina at the Wicomico Municipal Golf Complex in the amount of \$25,000.

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

4) ALCOHOLIC BEVERAGE LICENSE RENEWAL APPLICATION
WICOMICO MUNICIPAL GOLF COMPLEX

The County Administrator presented the referenced application requiring the President of the Board's signature.

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

5) BOARDS, COMMITTEES, COMMISSIONS
ANNUAL REPORTS

The County Administrator advised that each Board, Committee and Commission is requested to come before the Board with an annual report; therefore, Mr. Cox presented correspondence to be forwarded to each indicating the date and time for those meetings.

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

6) LIBRARY BOARD OF TRUSTEES

The County Administrator presented correspondence responding to the St. Mary's Library Board of Trustees' request for supplemental appropriations stating that this funding request will be considered during the FY '92 budget deliberations.

7) PUBLIC INFORMATION RELEASE
CUSTOMER SERVICE INITIATIVE

The County Administrator presented the referenced Information Release announcing the county's new initiative to improve the service received by citizens in their day-to-day dealings with the County.

PUBLIC HEARING
SUPPLEMENTAL APPROPRIATION ORDINANCE

Present: Charles Wade, Director of Finance
William Burroughs, Superintendent of Schools
James Marsh, Director, Budget and Finance, Bd/Ed
John Roth

The Board of County Commissioners conducted a public hearing to amend the Fiscal Year 1991 budget in accordance with Chapter 27, Section 6 of the St. Mary's County Code of Public Local Laws.

Mr. Wade distributed a proposed FY '91 Supplemental Appropriation Ordinance appropriating \$3,093,497 from designated fund balances. Amounts and purposes of appropriations are as follows:

Department	Item	Amount
State's Attorney	Lease Xerox Machine	\$ 1,700
Planning & Zoning	Annual Leave	21,275
Planning & Zoning	Md. Rock Study	1,500
Sheriff	Detention Center Medical Contract COLA	3,384
Public Works	CAD/CAM Training	2,418
Recreation & Parks	Piney Point Lighthouse Renovations	3,110
Recreation & Parks	Exhibits for Piney Point Lighthouse	2,100
Recreation & Parks	Upgrade Bushwood Wharf	3,500

(Supplemental Appropriation (continued))

Department	Item	Amount
Economic Development	Regional Tourism	\$ 23,370
Fire & Rescue Squads	Radios for vehicles	20,000
Fire & Rescue Squads	Length of Service Awards	35,320
Lease/Purchase of Equipment		698,000
Board of Education	State Reduction in basic aid to transportation	104,000
Board of Education	Replace deferrals for BOE base budget	198,342
Board of Education	Nursing Program	3,000
Board of Education	SHOP/SHOUT/PACE materials	12,000
Board of Education	Textbooks	15,946
Board of Education	Instructional Equipment	291,142
Board of Education	Postage Meter and Sealer	5,300
Board of Education	Fax Machine	1,600
Board of Education	Loveville Copier	133,300
Board of Education	Fuel (Gasoline Reserve)	<u>105,190</u>
	TOTAL GENERAL FUND	\$1,685,497
Board of Education	Purchase Relocatables (3)	\$ 213,000
Board of Education	Greenview Knolls Equipment	60,000
Board of Education	School Buses (3)	135,000
Public Works	Asphalt Overlay Program	<u>1,000,000</u>
	TOTAL CAPITAL FUND	\$1,408,000
	TOTAL GENERAL FUND AND CAPITAL FUNDS	\$3,093,497

The Commissioners opened the meeting for public comment.

Dr. Burroughs expressed appreciation to the Commissioners and staff for working with the Board of Education on the funding for the Board of Education. Dr. Burroughs brought the Commissioners up to date with regard to the request to allow public schools to keep two relocatables. He stated that the State has granted this request.

Mr. Roth also thanked the Commissioners for their support of this Supplemental Budget for the Board of Education.

In conclusion Commissioner Loffler noted that the record will remain open for ten days after which a decision on the proposed Ordinance will be made.

TRI-COUNTY GROUP HOME - LORETTA HOUSE

Present: Charles Wade, Director of Finance

The County Administrator presented a handout setting forth the source of funding for the Tri-County Group Home, which indicates that St. Mary's is contributing a greater share than Calvert or Charles Counties. He stated that the County reduced funding for FY '91 from \$42,000 to \$27,000 and requested the other two counties to participate on a percentage basis. Mr. Cox advised that Charles and Calvert Counties have indicated that they would not be able to provide funds for the FY '91 budget, but would give consideration during the building of the FY '92 budget. Representatives of Loretta House have indicated the importance for this funding for FY '91.

Mr. Cox stated it was his recommendation to revisit the County's fiscal decision and provide the requested additional \$15,000 with the understanding that the County will obtain a commitment for proportionate funding for Fiscal Year 1992.

Mr. Wade disagreed stating that he felt that the Commissioners should stay with their previous fiscal decision to keep the county's share at \$27,000 in that he did not get an indication that the other two counties would be providing support for FY '92.

After lengthy discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to request each county to contribute \$5,000 for a total of \$15,000. Motion carried.

During discussion of the motion, the Commissioners agreed that representatives from Loretta House should meet with the Calvert and Charles County Commissioners to bring them up to date on the Loretta House and to discuss the funding formula, after which they may want to meet with the Tri-County Council Executive Board.

SOUTHERN MARYLAND WOOD TREATMENT PLANT
REMEDIATION UPDATE

Present: Tom Russell, Director, Environmental Health
Bill Schmidt, Md. Dept. of Environment
Sesh Lal, "
Tom Oliver, Director, Emergency Management Agency
Paul Wible, "

Representatives of the St. Mary's County Health Department and Maryland Department of Environment appeared before the Commissioners to present an update on the remediation of the Southern Maryland Wood Treatment Plant.

Mr. Schmidt advised that the State has done an extensive amount of work to minimize the threat that the referenced site has on the environment and public health. The first phase of the clean-up operation is the containment of the area, which is approximately four acres of the 25-acre site. The second phase involves investigation into the type and size of system that will be needed to treat the contaminant soils which should begin next week and should be completed the fall of 1991. Mr. Schmidt pointed out that EPA has determined that thermal treatment may be the most efficient in treating contaminated soils through incineration. It is believed to be the best available technology for this site. Mr. Schmidt indicated that 10% of the cost for the clean up will be paid for with the Superfund.

Commissioner Loffler stressed the importance of keeping the public informed and that the County should be involved in the process. Commissioner Loffler also inquired whether treating the ground pollutant would create air pollution. Mr. Schmidt advised that the residue will be tested to assure that there are no contaminants in the residue. If it is determined to be hazardous waste, it will not be disposed of at this site.

In response to an inquiry from Mr. Russell, Mr. Schmidt advised that two to five years is a realistic time table for completion of this project. He stated that the time would depend on the amount of soils that is generated.

During discussion Commissioner Thompson suggested that there be a written agreement between the County and Department of Environment so that the County can state its concerns and have assurance that issues are resolved. Commissioner Lancaster suggested a series of meetings in order to allay any fears the public may have.

Mr. Schmidt responded that public meetings could be held during various stages of the clean-up at which time MDE would answer questions from citizens.

Commissioner Bailey inquired whether waste would be brought in from other areas to this site, to which Mr. Schmidt responded that the site will only be used to treat the contamination that it there.

Mr. Russell suggested that the County's Information Officer could work with the local media to inform the public of what is taking place at the site.

In conclusion the Commissioners thanked the MDE representatives for the status report and requested a written outline setting forth the phases and schedule of public meetings.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) **RECYCLING PROGRAM**

Also Present: David Gerdel

Mr. Ichniowski and Mr. Gerdel appeared before the Commissioners to present an updated report on the County's Recycling Program.

Mr. Gerdel reviewed the current program addressing the amounts of recyclable items taken in at the various transfer stations. Plans Calendar Year 1991 Program include recycling bins being made available to the public at the transfer stations, public education through the recycling committee, hiring of a Recycling Coordinator/Manager, pilot curbside recycling tests, and a newspaper collection program. Calendar Year 1992 program will include full curbside recycling, composting and a stronger focus on commercial and institutional participation.

Mr. Ichniowski presented a memorandum dated January 22, 1991 to the Commissioners suggesting that in order to increase citizen participation in the use of the recycling bins, the Recycling Committee has agreed to visit the sites during the weekends to distribute fliers and try to motivate better participation. The memorandum further requests the Commissioners concurrence to spend approximately \$20,000 from the recycling capital project to purchase 4,000 containers to be made available for purchase by citizens for use at home.

Discussion ensued regarding color coordination of containers, pick-up of recyclable items, and the market for recyclable goods.

After discussion the Commissioners agreed for the Department of Public Works to look into color coded containers and begin the Program as outlined.

2) **ADDENDUM TO PUBLIC WORKS AGREEMENT
LANDINGS AT PINEY POINT**

Mr. Ichniowski presented an Addendum to a Public Works Agreement between Piney Point Landing Partnership and the Board of County Commissioners of St. Mary's County extending the deadline for completion of improvements at Landings of Piney Point, Second Election District to December 1, 1991. The Addendum is backed of Letter of Credit at the reduced amount of \$424,000.

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

PROCLAMATIONS

Present: Representatives from Chopticon High School
Future Business Leaders of America
Future Farmers of America
Distributive Education Clubs of America

The Commissioners presented the following Proclamations to the referenced Chopticon High School students;

No. 91-03 - Future Business Leaders of America Week
(February 11 -15, 1991)

No. 91-04 - Vocational Education Week
(February 11 -15, 1991)

EXECUTIVE SESSIONS

Present: Edward V. Cox, County Administrator

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

Personnel

Also Present: George Foster, Personnel Officer

(Held from 11:40 a.m. to 11:50 a.m.)

Property Acquisition

Also Present: Joseph Densford, County Attorney
Dan Ichniowski, Director, Public Works
Al Gough, Southern Maryland Electric

(Held from 11:50 a.m. to 12:10 p.m.)

OFFICE ON AGING

REVISED STATE GRANTS

Present: Gene Carter, Director

Mr. Carter appeared before the Commissioners to presented revised State Office on Aging grants, which had been previously approved by the Commissioners. He stated that because of reductions in state funding the grants have been revised downward from the original amounts. He pointed out, however, that federal grant appropriations for FY '91 have been revised upward, which will more than offset the decrease of state funding. Mr. Carter advised, therefore, that the St. Mary's Office on Aging programs will not be adversely affected.

After discussion Commissioner Jarboe moved, seconded by Commissioner Bailey, to authorize Commissioner Loffler to sign the revised grants for: Senior Nutrition Program, Senior I & A, Senior Center, and Life Enrichment. Motion carried.

EXECUTIVE SESSION

PERSONNEL

Present: Edward V. Cox, County Administrator

Commissioner Bailey moved, seconded by Commissioner Jarboe, to meet in Executive Session to discuss a matter of Personnel (Boards, Committees, Commissions). Motion carried. The Session was held from 2:45 p.m. to 3:30 p.m.

TRI-COUNTY COUNCIL
REGIONAL TOURISM

Present: Thomas Mac Middleton, Chairman, TCC
Gary Hodge, Director, TCC
Joe Mitchell, Director, Economic & Community Development
Ann Marum, Director, Chamber of Commerce
Betty Koehl, Tourism Committee

Mr. Middleton advised the Commissioners that the Tri-County Council Executive Committee would like to proceed with the process of bringing the regional tourism effort back under the "umbrella" of the Tri-County Council. He stated that the purpose of this meeting was to get recommendations as to how to set up the structure of the committee and to get the Commissioners' thoughts on policies for direction for the Committee.

Commissioner Loffler indicated that he would like to see the commitment from all three board of county commissioners to appoint, maintain and support the Tri-County Council's tourism effort. He stated that this was important in order for the committee to exist.

Discussion ensued regarding the number of members that should be on the committee. Commissioner Jarboe stated that he felt that the composition of the board should include more individuals from the private sector; namely, hotel/motel representative, historical site representative, and a tourist attraction representative. He felt that those individuals who would benefit the most should be involved in order for the committee to be successful. Commissioner Loffler indicated that he would not like to see membership beyond 15, five from each County.

In closing Mr. Middleton stated that he would like to meet with representatives from the three boards of county commissioners in order to establish the makeup of the committee, and then make recommendations to the full Tri-County Council or Executive Committee. Commissioner Loffler requested that this be done before the Regional Tourism Committee is placed under the Tri-County Council.

7:00 P.M.

DEPARTMENT OF ASSESSMENTS AND TAXATION

Present: Joseph Szabo, State Supervisor of Assessments
Wilton Stansbury, Assistant State Supervisor
James Spence, St. Mary's County Supervisor of Assessments
Andrew McWilliams, Assistant Supervisor, St. Mary's County
Interested citizens

The referenced individuals from the Department of Assessment and Taxation gave a presentation on the assessment process. Mr. Stansbury explained the process stating that State Law requires that every property in Maryland be revalued every three years. He discussed the Homestead Property Tax Credit and the Constant Yield Tax Rate.

Mr. Spence explained the assessment process for St. Mary's County and indicated that assessments are in line with actual sale prices in 1990. He pointed out that there have been substantial increases in the First District because of the demand for waterfront property. Mr. Spence advised that his department is notified by the Health Department of any property that fails a "perk test" and the property is then adjusted accordingly.

Mr. Szabo advised the audience that after the meeting brochures will be made available. The brochures are: Homeowners' Guide to Property Assessments, Homestead Tax Credit, and Appeals Process.

After the presentation, comments and questions were received from the audience. Individuals who spoke are as follows:

Jim Forrest (Ridge) - Effect of location of property on assessments; Suggested that property owners pay taxes based on purchase price; payment of taxes should be based on rate of inflation.

John Burroughs (Mechanicsville) - Inquired about 10% homestead tax credit and about heavier taxation of waterfront properties

James Lanham (Ridge) - Effect on assessments on other properties located in low-income areas; whether assessments are different for waterfront properties with different depths of water (i.e., marshland, deep water); illegal structures on property.

Thomas Laughlin (Representing owner of Cornfield Harbor property) - Referred to extremely high assessment on land that does not perk, no water/sewer or improvements.

Mel Cole (St. Jeromes Creek) - Re effect of age of house

Ken Heikkinen St. Mary's City - Impact of assessments on retirees on fixed income.

Ed Bartos (Cornfield Harbor) - Questioned whether consideration was given in assessing property during high tides or underwater; questioned judgment calls of assessors.

Dick Metz (Rodo Beach) - Increases not only driven by demand for waterfront, but other factors. Compared First and Eighth District Assessments and referred to discrepancies; non-taxable land (i.e., boys camps); purchase of waterfront properties by non-residents - receive benefits, but don't pay piggyback taxes; County budget has increased greater than rate of inflation; Suggested using "surplus" to either reduce 10% cap percentage or to reduce property tax rate; inquired as to what conservative policies the Commissioners are doing to keep spending down; inquired whether Commissioners look at each budget request to ensure citizens are receiving fair return on tax assessment dollars.

Patricia Wentz - Appeals process and definition of "recreational land"

Randy Morris (Smith Creek) - Inquired as to implementation of 10% cap.

George Nevin - Inquired about legislation for Tax Credits for the Elderly; concerned about property owners on fixed incomes.

Norman Norris - Dramatic increases in assessments; inquired whether there have been changes to manual.

Joe Daley (Eighth District) - Presented "A Modest Proposal - A Daley Plan for Property Tax Deferral"

Dotty Jenkins - Concerned about retired property owners on fixed incomes and about quality of life.

Don Brown - Unit of measure for waterfront property.

Thomas Medder (Rosecroft Road) - Appeal process for rental properties.

Richard Chin (Eighth District) - Concerned about quality of life for retirees; property tax increases; training of appraisers; percentage of revenues generated by property tax (County and State); Maryland is Fifth in nation in paying the most taxes.

Carmen Johnson (Lexington Park) - Availability of computer sheets from Assessments Office. Application for rezoning - extension of deadline for submission.

Viki Volk (Enterprise Newspaper) - Increases of assessments based on market value - inquired whether properties were assessed below market value three years ago.

Commissioner Loffler - Inquired about combining lots to make it one parcel for assessment bill purposes.

Elizabeth Reeves (Fourth District) - Whether consideration is given for lands that are wetlands/non-wetlands, perkable/non-perkable, conventional septic systems/mound systems and questioned training of appraisers; concerned about citizens who cannot read and the small print of appeals process on back of assessments bills; concerned about watermen, farmers and retirees.

James Owens (representing farmers) - increasing taxes difficult for farmers.

C.C. Powell (On a creek in Lexington Park area) - Appeal process for waterfront property and inequities of assessments from both sides of creek.

ADJOURNMENT

The meeting adjourned at 10:00 p.m.

PUBLIC FORUM

The Commissioners conducted the regular monthly Public Forum accepting questions and comments from the audience.

John Burroughs - (Queentree Landing - Queentree Road) Concerned about rise in assessments when he lives in an area with few services (no cable, roads covered with dust and tar). Has been told by OPZ that he cannot share a pier with a neighbor.

Commissioner Loffler advised that staff would determine whether Queentree Road is in the County's Six-Year Capital Plan.

Joe Carbonaro - Concerned about toxic waste as Southern Maryland Wood Treatment Plant and inconsistencies in information received from EPA and MDE.

Doug Ritchie - Suggested that someone be hired to observe the incinerating process; whether the County is taking over cable as a county service (The Commissioners advised that it was not.)

James Owens - Concerned about a neighbor who has been blocking the road that Mr. Owens built. (The Commissioners indicated that his only recourse was taking him to court.)

Tom Collier - Encouraged the Commissioners to continue pursuit of MDE's actions to clean up Southern Maryland Wood Treatment Plant.

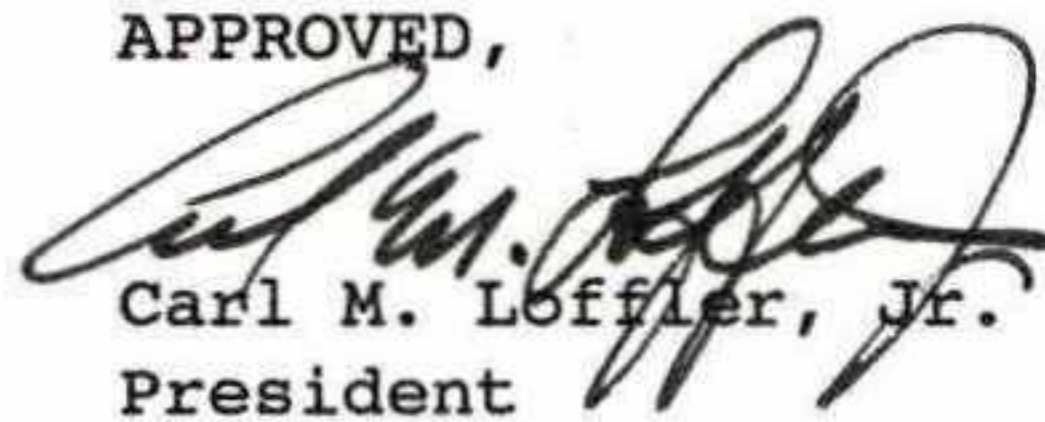
Kenneth Booth - Concerned about property tax assessments and effect of critical area and 2020 legislation on private property rights; concerned about inequities in zoning policies if 2020 is adopted (Smaller lots in higher densities, larger lots in rural areas.

Jack Witten - Suggested that the Commissioners look at new asphalt plant in California at the same time as Southern Maryland Wood Treatment Plant.

Minnie Russell - Inquired how 10% Homestead Tax Credit is implemented; questioned tax assessment procedures for critical areas and buffer area; questioned whether there were plans for a tax increase. (Commissioner Loffler advised that he did not see a tax increase for the near future; concerned about county keeping costs down (lights in buildings, several buses take same routes, and air conditioners running in schools during summer months.

The Public Forum portion of the meeting concluded at 11:15 p.m.

APPROVED,



Carl M. Loffler, Jr.
President