

ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS

October 29, 1991

**Present:** 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 9:10 a.m.

**APPROVAL OF MINUTES**

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, October 22, 1991. 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) LETTERS OF APPRECIATION  
CITIZEN ADVISORS' APPRECIATION NIGHT**

The County Administrator presented letters of appreciation to businesses that donated items for the Citizen Advisors' Appreciation Night.

The Commissioners agreed to sign and forward the letters.

**2) CHARLES COUNTY COMMUNITY COLLEGE  
PORTABLE CLASSROOM UNITS**

The County Administrator presented correspondence from John Sine, President, Charles County Community College advising that the purchase and installation of the portable classroom for the Great Mills campus has become cost prohibitive. The letter stated that the college has located two portable classroom units at a cost of \$10,000 each, and the Department of Public Works has indicated that it can perform the set up work for \$16,000. Therefore, Mr. Sine requested that the county's \$16,000 contribution be used for the Department of Public Works portion of the work.

Commissioner Thompson moved, seconded by Commissioner Jarboe, to approve the request as presented. Motion carried.

**3) RESOLUTION NO. Z91-11  
PIERS AND BULKHEADS**

As a follow up to previous discussions, the County Administrator presented a Resolution adopting a policy for the implementation of the provisions of Section 53.20.5 of the St. Mary's County Zoning Ordinance.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign the Resolution as presented. Commissioner Bailey voted against the motion stating that he was concerned that the policy may take away a waterfront property owner's rights. Motion carried four to one.

Commissioner Loffler stated for the record that Resolution does not take away anyone's right to build a pier.



4) **RESOLUTION NO. 91-39**  
**FAMILY ASSISTANCE CENTER ADVISORY COMMITTEE**

The County Administrator advised that correspondence was received from Mr. Sullivan, Chairperson of the Family Assistance Center, located adjacent to Carver Elementary, requesting the establishment of a Family Assistance Center Advisory Committee.

After discussion Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 91- establishing a Family Assistance Center Advisory Committee. Motion carried.

5) **BUDGET AMENDMENT NO. 92-20**  
**DEPARTMENT OF PUBLIC WORKS**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To transfer trailer needed for the new Charlotte Hall Transfer Station (to avoid lease purchase cost) - \$47,000.

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

6) **COASTAL ZONE MANAGEMENT PROGRAM REVISION**

The County Administrator presented a revised Agreement with the Department of Natural Resources for the activities of the Coastal Resource Advisory Committee. The revised Agreement, for the period ending September 30, 1992, reflected a reduction in the program from \$10,000 to \$7,000 from the State.

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

7) **SEWAGE SLUDGE UTILIZATION PERMIT APPLICATION**  
**JACOB AND EPHRAM STOLTZFUS PROPERTIES**

The County Administrator presented correspondence dated October 23, 1991 from the Maryland Department of Environment forwarding the referenced Sewage Sludge Utilization Permit Application for the Jacob and Ephram Stoltzfus properties located in Charles County within one mile of St. Mary's County.

The letter indicates that St. Mary's County can request a public informational meeting regarding the proposed application.

The Commissioners agreed not to request a hearing.

During discussion County Administrator Cox indicated that the County Attorney is looking into whether it is illegal to place a notice in a Deed regarding the application of sludge on that property.

**BIG BROTHERS/BIG SISTERS APPRECIATION CEREMONY**

Commissioner Lancaster advised that he attended the Big Brothers/Big Sisters Appreciation Night on Sunday and stated that the Commissioners were presented with a plaque in appreciation of the Commissioners encouragement and support of the program.

**FRATERNAL ORDER OF POLICE DUES**  
**REQUEST FOR PAYROLL DEDUCTIONS**

Present: David Zylack, Deputy, Sheriff's Department

Mr. Zylack appeared before the Commissioners to request consideration for payroll deductions for the Fraternal Order of Police (FOP) dues. He



stated that St. Mary's Chapter, Lodge 7, has 75 to 100 professional full-time law enforcement officers representing five agencies in the county. He stated that because economics, many deputies find it difficult to make a one-time lump sum payment of the FOP dues, and having payroll deductions would make payment more feasible for them. Deputy Zylack pointed out that other jurisdictions allow the payroll deduction and further stated that there are other payroll deductions that are allowed in St. Mary's County. He pointed out, however, that Director of Finance Charles Wade had denied the request last year because that only mandated deductions or county approved programs were allowed.

After discussion the Commissioners agreed to take the request under consideration and report back to Deputy Zylack in approximately two weeks.

**EMERGENCY MEDICAL SERVICES  
PROPOSED STATE BUDGET REDUCTIONS**

Present: Tom Oliver, Director, Emergency Management Agency  
Paul Wible, Deputy Director, "

The referenced individuals appeared before the Commissioners to present information relative to proposed state budget reductions and the impact on volunteer emergency services in St. Mary's County.

Mr. Oliver distributed material explaining the various EMS components and training programs.

Mr. Wible discussed the budgets for fiscal years 1990 through 1992 pointing out that the state has proposed to reduce Maryland Institute for Emergency Medical Services (MEIMSS) funds for Fiscal Year 1992 by 22%; Fiscal Year 1993 by 63%; and Maryland Fire and Rescue Institute (MFRI) funding by 17% and pointed out the devastating effect this will have on EMS programs and training. He stressed the fact that proposal could mean the elimination of emergency medical technicians because of loss of training and certification process.

After discussion of the impact of these proposed budget reductions, the Commissioners requested Mr. Oliver and Mr. Wible to keep the Commissioners informed with regard to this matter.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

1) **AVENMAR SUBDIVISION  
ROAD ORDINANCE COMPLIANCE**

(Commissioner Loffler did not participate because of a conflict of interest.)

As a follow up to last week's discussion, Mr. Ichniowski advised that after discussions with the developer and his representatives, the Road Ordinance problem had been resolved. He stated that the developer has agreed to construct a 250-300 foot public road which will serve three lots and the remaining five lots will be served by a private drive.

Mr. Ichniowski pointed out that no action is required by the Commissioners in that the project meets the requirements of the Road Ordinance.

2) **RECYCLING PLAN FOR ST. MARY'S COUNTY**

Mr. Ichniowski presented a revised implementation schedule for the curbside recycling component of the St. Mary's County Recycling Plan for the Commissioners' approval and submission to the Maryland Department of



Environment. He stated that the revisions include for 1993 the implementation of curbside recycling to major subdivisions for approximately 12,000 households in election districts 2, 3, 5, 6, and 8; and for 1994 expansion and completion of curbside recycling for all densely populated sections of election districts 1, 4, and 7.

Commissioner Lancaster moved, seconded by Commissioner Bailey, to approve the revised schedule and further to sign and forward the letter to the Maryland Department of Environment forwarding the revised schedule. Motion carried.

3) **GRANT AGREEMENT  
AIRPORT IMPROVEMENT PROGRAM**

Mr. Ichniowski presented a Grant Agreement between Maryland Aviation Administration and St. Mary's County Board of County Commissioners for financial assistance for the St. Mary's County Airport Improvement Program, which consists of easement and land acquisition for the extension of the runway and taxiway. Total cost of the project is estimated at \$175,650 (Federal - \$158,085; State - \$8,782; County - \$8,783).

Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign four copies of the Grant Agreement as presented. Motion carried.

4) **ROAD CONSTRUCTION AGREEMENT  
YOWAISKI MILL ROAD**

Mr. Ichniowski presented a Road Construction Agreement between the Board of County Commissioners of St. Mary's County and Harvest Homes, Inc. for the developer's contribution toward the construction of Yowaiski Mill Road in the amount of \$2200 per dwelling unit which will be paid at the time of issuance of the building permit for each lot developed in the Meadow Woods Subdivision.

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

5) **ACCEPTANCE OF DEED - PEGGS ROAD**

Mr. Ichniowski presented a Deed between George J. Reeder and Margaret f. Reeder and the Board of County Commissioners of St. Mary's County relative to the extension of Peggs Road construction project.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to accept the Deed as presented. Motion carried.

6) **ADDENDUM TO PUBLIC WORKS AGREEMENT  
ST. GEORGE'S HUNDRED**

Mr. Ichniowski presented an Addendum to the Public Works Agreement between St. Mary's One Limited Partnership and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements in St. George's Hundred to September 1, 1992. The Addendum is backed by a Letter of Credit with Maryland Bank and Trust Company in the amount of \$32,000.

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

7) **TUDOR HALL RESTORATION PROJECT**

For the Commissioners' information Mr. Ichniowski advised that the Maryland Board of Public Works has approved the funding for the Tudor Hall restoration project.



**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. Motion carried. the Session was held from 10:35 a.m. to 11:30 a.m.

**1992 LEGISLATIVE PACKAGE REVIEW  
BOARD OF COUNTY COMMISSIONERS' POSITIONS**

The County Administrator presented a work sheet to each Commissioner and requested the Commissioners' position on each item of the 1992 Legislative Package proposals. Actions were taken as follows:

| Item<br>No. | Description                                     | Support   | No<br>Support | No<br>Position | Amend |
|-------------|---|-----------|---------------|----------------|-------|
| 1.          | Impact Fees - Payment                           | 1,2,3,4,5 |               |                |       |
| 2.          | METCOM-Deferral of Costs                        | 1,2,3,4,5 |               |                |       |
| 3.          | METCOM-Fine Increase<br>Water Theft             | 1,2,3,4,5 |               |                |       |
| 4.          | METCOM - Uniform Rates                          | 1,2,3,4,5 |               |                |       |
| 5(a)        | Elected Officials<br>Eff. Date/Pay Increase     | 1,2,3,4,5 |               |                |       |
| 5(b)        | Elected Officials<br>Eff. Date/Taking Office    | 1,2,3,4,5 |               |                |       |
| 6.          | Super. Elections/Atty<br>Salary Minimum         | 1,2,3,4,5 |               |                |       |
| 7.          | State Debt/<br>Regional Park                    | 1,2,3,4,5 |               |                |       |
| 8.          | State Debt/Airpark Develop.                     | DEFERRED  |               |                |       |
| 9.          | Minor's Driver's License<br>Education Condition | 3,1       |               | 2,4,5          |       |
| 10.         | ABB License/Treasurer                           | 1,2,3,4,5 |               |                |       |
| 11.         | ABB License<br>Applicant Screening              | 1,5       | 2             | 3,4            |       |
| 12.         | Forfeiture/Seizure<br>Towing & Storage          | 1,3,5     |               | 2              |       |
| 13.         | Inmate Funds<br>Medical Care                    | 1,3       | 2,4,5         |                |       |
| 14.         | Public Facilities Bond                          | 1,4,5     | 2,3           |                |       |
| 15.         | Recordation Tax<br>Treasurer                    | 1,2,3,4,5 |               |                |       |
| 16.         | Transfer Tax<br>Treasurer                       | 1,2,3,4,5 |               |                |       |
| 17.         | Sidewalk/State Highways                         | 1,2,3,4,5 |               |                |       |
| 18.         | Restricted Use<br>Endangered Highways           | 1         | 2,3           | 4,5            |       |
| 19.         | Eminent Domain                                  | 4         | 2,3           |                | 1,5   |
| 20.         | Rec.Deeds<br>Subdiv. Approval                   |           |               | 1,4,5          | 3,2   |
| 21.         | Fox Hunting                                     | 1,5       |               | 2,3,4          |       |
| 22.         | Severance Tax                                   | 1,4,5     | 2             | 3              |       |
| 23.         | Bingo License<br>Transfer to Clerk              | 4         | 1,2,3,5       |                |       |
| 24.         | Peddlers/Palm Readers                           |           | 1,2,3,4,5     |                |       |
| 25.         | St.Mary's City<br>Dev.Review Process            |           | 1,2,3,4,      | 5              |       |
| 26.         | Quiet Hours                                     |           | 1,2,3,4,5     |                |       |
| 27.         | Comm.College/Donations                          |           | 3             | 1,2,4,5        |       |
| 28.         | Lower Potomac River Toll                        |           | 1,2,3,4,5     |                |       |
| 29.         | Grad.Piggy-Back Tax Rate                        |           |               | 1,2,3,4,5      |       |
| 30.         | ABB Tax - Medevac                               |           | 2,3,4,5       | 1              |       |
| 31.         | Hospital Expansion                              | 1,2,3,4   |               | 5              |       |

Code System to Identify Positions  
Loffler 1; Bailey 2; Jarboe 3; Lancaster 4; Thompson 5



The County Administrator will prepare correspondence for the Commissioners' signatures forwarding their positions as set forth above.

**NAVAL AIR STATION EXPANSION  
PLANNING SESSION**

Present: John Grimm, Director, Planning and Zoning  
Dan Ichniowski, Director, Public Works  
Joseph Mitchell, Director, Economic & Community Development  
Phil Rollins, Director, Recreation and Parks  
F. Elliott Burch, Jr., Chairman, Economic Development Commission  
James A. Kenney, "  
John Harden, Chairman Recreation and Parks Board  
Don O'Neal, St. Mary's Public Schools

The Commissioners conducted a planning session with the referenced individuals relative to the announcement of the expansion of the Naval Air Station.

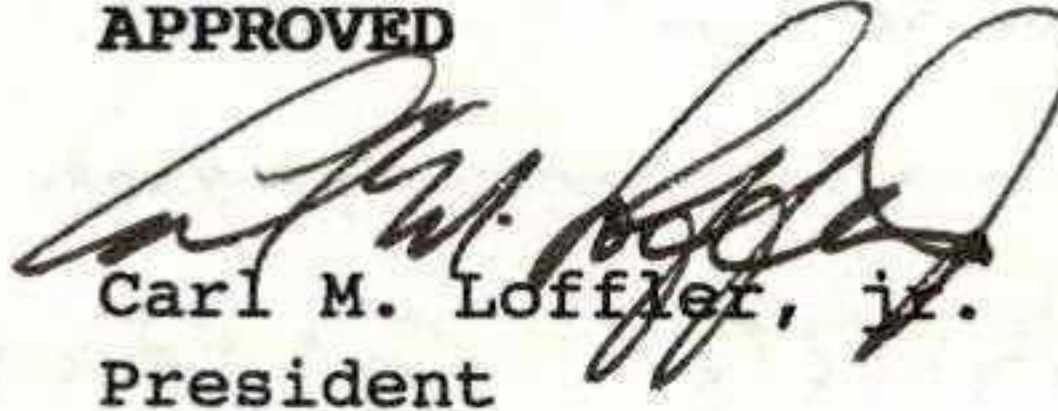
**TOUR OF ST. MARY'S COUNTY AIRPORT**

The Commissioners departed for a tour of the St. Mary's County Airport.

**ADJOURNMENT**

The meeting adjourned at 5:10 p.m.

APPROVED



Carl M. Loffler, Jr.  
President