

**ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS**

November 5, 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
Judy Landram, Recording Secretary

CALL TO ORDER

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

APPROVAL OF MINUTES

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

APPROVAL OF BILLS

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

MARCEY HOUSE

PROPOSED CONVERSION TO A REGIONAL BOARD

Also Present: Larry Harvey, Director

As a result of the State's budget cut by half to Marcey House, Mr. Harvey appeared before the Commissioners to present a proposal to continue the operation of Marcey House for the Commissioners to submit to the Southern Maryland Tri-County Council to form a Regional Board. The proposal, prepared by County Administrator Ed Cox, Chairman of Marcey House Board Ken Henson and Mr. Harvey, included steps required, advantages to Charles and Calvert Counties, and proposed costs to each county.

In addition, Mr. Harvey presented a letter from Mr. Henson addressed to Howard R. Sampson, Director Alcohol and Drug Abuse Administration regarding plans to continue operations.

The County Commissioners will make a decision on the proposal at a later date.

COUNTY ADMINISTRATOR ITEMS

1) SEWAGE SLUDGE UTILIZATION PERMIT APPLICATIONS

Also present: Larry Petty, Director, Metropolitan Commission

The County Administrator presented and recommended a public informational meeting for seven (7) referenced sewage sludge permit applications submitted to the Department of the Environment for the following:

Benedict Tennyson, Long Neck Road, Scotland, Md.
Eunice A. Long, Off of Rt. 247, Loveville, Md.
Mark E. Grace, Jr., Rt. 238 and Knottly Hall Roads, Maddox, Md.
James D. Cryer, Sr., Off of Breton Beach Road, Leonardtown S.
F. Elliott Burch, Bayside Road, Compton, Md.
Edward Kennett, Rt. 242, Avenue, Md.
George B. Reeves, Chaptico-Mechanicsville Road and
Redhouse Farm, Rt. 238, Chaptico

Mr. Cox indicated that these are the first instances in which sewage would be applied from outside of the county.

Commissioner Jarboe moved, seconded by Commissioner Bailey to respond to the Department of the Environment to hold a public hearing. Motion carried.

**2) MD HEALTH RESOURCES COMMISSION
CERTIFICATE OF NEED**

The County Administrator presented application for Certificate of Need for the addition of 54 comprehensive care beds and partial renovation of facility for St. Mary's Nursing Center.

Commissioner Lancaster moved, seconded by Commissioner Jarboe to authorize Commissioner President Loffler to sign the Local Review and Comment Form fully endorsing the Certificate of Need Application.

3) ENHANCED 911\UNIFORM ADDRESSING SYSTEM CORRESPONDENCE

The County Administrator presented correspondence to Mr. Joseph Harris, General Manager\Postmaster of the Southern Maryland Division requesting suspending current activity of address changes in light of the county wide uniform addressing system to be developed and implemented by July 1, 1995.

Commissioner Jarboe moved, seconded by Commissioner Bailey to sign and forward referenced correspondence. Motion carried.

4) REGIONAL APPROACH TO NADC CONSOLIDATION TO NATC CORRESPONDENCE

The County Administrator presented correspondence in response to Tri-County Council's dated November 4, 1991 for the county to participate in a regional plan of action to assist the Naval Air Development Center (NADC), Warminster, Pennsylvania to the Patuxent River Naval Air Test Center as long as it does not subordinate local efforts.

Commissioner Jarboe moved, seconded by Commissioner Bailey to sign and forward referenced correspondence. Motion carried.

5) COMMUNITY SERVICES COORDINATION COMMITTEE BY-LAWS

The County Administrator presented revised by-law for Community Services Coordination Committee By-laws. The County Commissioners deferred approval until after review.

6) FRATERNAL ORDER OF POLICE CORRESPONDENCE

The County Administrator presented correspondence to Corporal David Zylak in response to his request for payroll deduction for dues. The letter denies the request since the FOP is not a county government sponsored activity.

Commissioner Jarboe moved, seconded by Commissioner Lancaster to sign and forward referenced correspondence. Motion carried.

**7) OFFICE OF PLANNING & ZONING
SUBCOMMITTEES ROSTER**

The County Administrator presented a roster of subcommittees and representatives for the Office of Planning and Zoning relative to the Zoning Ordinance Update to be officially appointed by the Board of County Commissioners at a later date.

**8) APPOINTMENTS
BOARDS, COMMITTEES, COMMISSIONS**

Commissioner Bailey moved, seconded by Commissioner Thompson, and motion carried to make the following appointments:

AGRICULTURE COMMISSION	TERM TO EXPIRE
Bonnie Walsh	12/31/93/96
ECONOMIC DEVELOPMENT COMMISSION	
Robert Gabrelcik (Reappt)	06/30/94
Joseph M. Gough (Reappt)	06/30/94
MENTAL HEALTH, ALCOHOLISM, DRUG ABUSE ADVISORY COUNCIL	
Cynthia Bruce	06/30/92/97
REGIONAL TOURISM ADVISORY COMMITTEE	
Cheryl Ahearn	No Term
TRI-COUNTY ANIMAL SHELTER	
Scott Freeman	No Term

9) CORRESPONDENCE TO ERIK JANSSON

The County Administrator presented correspondence in response to Erik Jansson's dated November 1, 1991 regarding information Mr. Jansson received at a conference relative to toxic waste disposal would be forwarded to the Southern Maryland Wood Treatment Task Force.

The County Commissioners agreed to sign and forward referenced correspondence.

10) LEGISLATIVE ITEMS CORRESPONDENCE TO LEGISLATORS

The County Administrator presented correspondence to Legislators setting forth the County Commissioners' positions for each item.

The County Commissioners agreed to sign and forward referenced correspondence.

11) PERSONNEL - APPOINTMENTS

The County Administrator presented a request for appointments in the States' Attorney's Office for a Deputy States Attorney and Assistant States' Attorney.

Commissioner Jarboe moved, seconded by Commissioner Bailey to make the two referenced appointments. Motion carried.

12) PERSONNEL - LEAVE WITHOUT PAY REQUEST

The County Administrator presented a request for Mary K. Bailey for sixty days LWOP and continuation of health insurance benefits at the current premium rates.

Commissioner Lancaster moved, seconded by Commissioner Jarboe to approve the referenced LWOP request. Motion carried.

13) EMPLOYEE ASSISTANCE PROGRAM PAMPHLETS

The County Administrator presented updated pamphlets describing the Employee Assistance Program and requested approval to have the pamphlets printed.

Commissioner Jarboe moved, seconded by Commissioner Bailey to approve the printing of the Employee Assistance Program. Motion carried.

PROCLAMATIONS

The Commissioners presented the following Proclamations:

Pearl Harbor Remembrance Day

Also present: Clarence Davis

Designating December 7, 1991 as Pearl Harbor Remembrance Day in St. Mary's County expressing appreciation to members of the Pearl Harbor Survivors Association for defending the freedom enjoyed today.

National Hospice Month of November

Also present: Dana McGarity

Designating the month of November as National Hospice Month supporting the compassionate efforts of the Hospice of St. Mary's.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) Public Works Agreements

Mr. Ichniowski presented the following documents for the Commissioners' review and consideration:

- **Hunting Quarter, Phase 2, Section 1**
Public Works Agreement dated October 29, 1991 between Al Watson/Thomas Watts and St. Mary's County guaranteeing completion of Hunting Quarter Drive by October 1, 1992. The Agreement is backed by a Letter of Credit with The First National Bank of St. Mary's in the amount of \$31,700.
- **Norris Acres, Sections 1 and 2**
Public Works Agreement dated October 24, 1991 between Charles D. Reed and Benjamin H. Burroughs, Jr. and St. Mary's County guaranteeing completion Reed Court by October 1, 1992. The Agreement is backed by a Letter of Credit with The First National Bank of St. Mary's in the amount of \$104,900.
- **Stallman Subdivision, Section 3**
Public Works Agreement dated October 21, 1991 between Great Mills Construction Company, Inc. and St. Mary's County guaranteeing completion of Rutherford Boulevard, Harrison Street, Grant Place, and Garfield Street by October 1, 1991. The Agreement is backed by a Letter of Credit with International Fidelity Insurance Company in the amount of \$330,300.
- **Abell's Run**
Addendum to Public Works Agreement between Morgan Associates, Inc. and Board of County Commissioners of St. Mary's County extending the deadline for completion of improvements to April 1, 1992. The Addendum is backed by a reduced Letter of Credit with First National Bank of St. Mary's in the amount of \$10,000.

2) Solid Waste Plan Status Report

Also present: Dave Gerdel, Supervisor, Engineering Services
Ann Germaine,

Mr. Gerdel presented a handout of the overview of the current status of the Solid Waste Program highlighting the solid waste plan, transfers, Clements Closeout, Recycling Program and St. Andrew's Landfill. The Solid Waste Program is currently under review for approval next year

Further, Mr. Gerdel stated that St. Andrew's Landfill is currently operating under a permit issued by the State to operate until June, 1993 and the new portion will not be completed until January 1995. In order to open another landfill cell three phases must be complied with the step. The county is currently at the end of Phase II. Mr. Gerdel indicated that an extension until January 1995 has been requested and is appropriate to complete the design of the closure.

3) TOWN OF LEONARDTOWN

In response to a previous request by the County Commissioners Mr. Ichniowski presented a proposal to compensate Leonardtown for the citizens not using the transfer station because of universal collection service. The Commissioners agreed to table this item until other items concerning the town are discussed.

**DIRECTOR OF FINANCE - REVENUE
REDUCTIONS AND RECOMMENDED REDUCTIONS**

Present: Charles H. Wade, Jr., Director of Finance

As a result of the State's budget cuts, Mr. Wade presented a handout of figures covering the FY '92 and FY '93 Revenue Reductions, Budget Shortfalls, Fund Availability and Fund Balance. Mr. Wade pointed out that he anticipated further State reductions as indicated.

Mr. Wade, after indicating projected shortfalls for FY'92 and FY'93, presented recommendations on how to proceed to reduce expenditures and prepare for FY '93.

After discussion, Commissioner Jarboe moved, seconded by Commissioner Bailey to reduce expenditures by 1.8% across-the-board for all activities. Commissioners Loffler and Thompson voted against the motion stating that they were opposed to across-the-board reductions and the departments should have the opportunity to suggest to reductions for their departments. Motion carried three to two.

**OFFICE ON AGING
COMMENDATIONS**

Present: Gene Carter, Director, Office on Aging
Jane Kostenko

The County Commissioners presented the following individuals commending their athletic achievements in the 1991 Maryland Senior Olympics:

Peter H. Chen - First Place, Men's Golf
James Wooten - First Place, 1,500 Meter Race Walk
Arvid Ed Forsman - Second Place, Men's Golf
Mary D. Garner - Third Place, Women's Tennis Singles
Werner Berg - Fourth Place, 100 and 200 Meter Dashes
Harry A. Sotlmeier - Fourth Place, 1-mile Walk
Donna Hall - First Place, 10-pin Bowling
Ellen V. Mielke - Fifth Place, Women's Golf
George Bailey - Sixth Place, Men's Golf
Margaret Mahone - Sixth Place, 10-pin bowling

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Lancaster moved, seconded by Commissioner Thompson to meet in Executive Session to discuss matters of Land Acquisition and Personnel. Motion carried.

(Held from 3:08 p.m. - 3:45 p.m.)

ADJOURNMENT

The meeting adjourned at 3:45 p.m.

7:00 P.M.

(At this time the meeting was recorded by Judy Spalding)

PUBLIC FORUM

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

Oran Wilkerson - Raised questions regarding the State and County Open Meetings Law and stated that he did not want to see the County's law abolished in favor of the State Law. He stated that the Potomac River Association will strongly oppose any move to abolish it.

Jack Witten - Reiterated Mr. Wilkerson's concerns relative to the Open Meetings law and stated that the State law would allow the County to meet with businesses contemplating coming into the County in Executive Sessions.

Robert Joyner - Questioned whether the land for the proposed private prison could have been taken by eminent domain.

Commissioner Loffler advised that it could not have been taken by eminent domain.

Viki Volk (Enterprise Newspaper) - Questioned whether the 1.8% budget cuts for each department included the County's share of state grant funds which have been cut or reduced by the State.

County Administrator Ed Cox explained that each department was cut 1.8% in order arrive at \$1 Million reduction in spending. It is hoped that another \$1 Million reductions will be realized through savings, which will include the County's match of state grants that were not funded by the State.

Leonard Greess - Requested background on Commissioners' action taken earlier in the day with regard to the FY '92 budget reductions.

Commissioner Loffler explained that by a three to two vote (Commissioners Bailey, Jarboe and Lancaster in favor of the motion and Commissioners Loffler and Thompson in opposition) voted to cut the County budget for FY '92 by 1.8% across the board plus another \$1 Million through other means such as not filling certain positions, reductions in travel and training and other unnecessary expenditures.

Leonard Greess - Questioned how the County adjusts bonding for projects such as Maryland Rock, which has changed its scope of work from the time it first began.

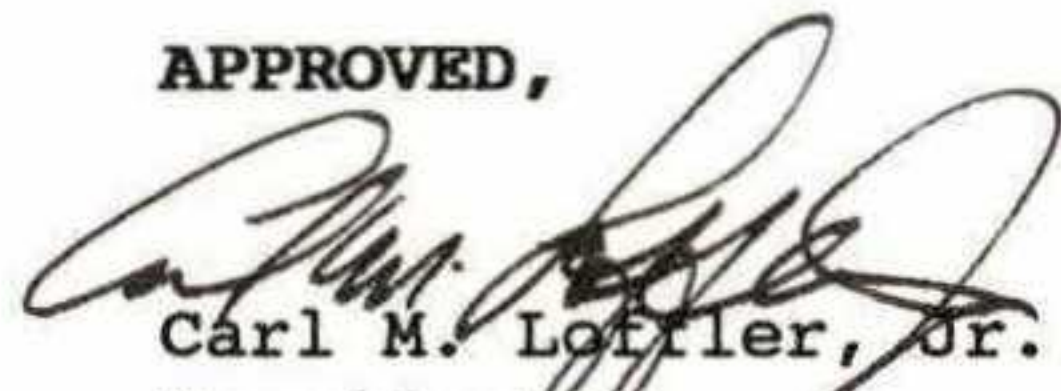
Commissioner Loffler explained that bonds for roads and other county issues are brought before the Commissioners for adjustment by the Department of Public Works. With regard to the mining portion of the project and the reclamation work, County Administrator Cox advised that that is regulated by state permit through the Department of Natural Resources.

Joseph Clairmont (Boy Scout Troop 413 from the Patuxent River Naval Air Station) - Questioned budget reductions to the Board of Education and hoped that this would not include teachers or electricity.

Commissioner Lancaster explained that each department will make recommendations as to what areas of their budgets can be reduced.

The Public Forum concluded at 8:05 p.m.

APPROVED,



Carl M. Loffler, Jr.
President

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