

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

NOVEMBER 2, 1993

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
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 Bailey moved, seconded by Commissioner Jarboe, to approve the minutes of the Commissioners' meeting of Tuesday, October 26, 1993. Motion carried.

APPROVAL OF BILLS

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

**TRANSPORTATION BONDS - REFUNDING
AMENDMENT TO PARTICIPATION AGREEMENT**

Present: Charles Wade, Director of Finance

Mr. Wade advised the Commissioners that because of improved interest rates the State will be refunding its Transportation Bonds and expanding its scope, and that the Commissioners on June 15 the Commissioners had signed an Agreement to participate in the refunding. He therefore presented an Amendment to Participation Agreement for Refunding Series 1993 between Department of Transportation of Maryland and St. Mary's County Commissioners.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Amendment to Participation Agreement. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) November 23, 1993 Meeting

Because there are five Tuesdays in November, the Commissioners agreed to cancel the November 23 meeting.

2) Little Red School House - Assignment of Ownership

The County Administrator presented an Assignment of Ownership between the Foundation of the Friends of the St. Clements Island Potomac River Museum and the Board of County Commissioners of St. Mary's County conveying to the Commissioners the "Little Red Schoolhouse." The document had been approved and signed on ³⁻¹⁶⁻⁹³, and the County Administrator requested that the Assignment be resigned by the President of the Board.

Commissioner Bailey moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the Assignment of Ownership for the "Little Red Schoolhouse as presented. Motion carried.

3) **Hibarigaoka High School**

The County Administrator presented correspondence addressed to students and teachers of Hibarigaoka High School welcoming them during their visit to St. Mary's County.

The Commissioners agreed to sign the letter as presented.

4) **Dress Down for Leukemia**

The County Administrator presented a request from the Employees' Association requesting to have a "Dress-Down for Leukemia" Day on December 10 and recommended approval of this request.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the Dress Down for Leukemia Day on December 10. Motion carried.

5) **Budget Amendments**

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

No. 94-33
EMA/ALS

To transfer funds for payment of General Public Liability Insurance for Advanced Life Support Unit as additional funding as needed was not approved in FY '94 budget. (\$800)

No. 94-34
Animal Control

To provide funding for additional cost for Tri-County Animal Shelter (\$4,896)

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

6) **County Government Parking Areas**

The County Administrator presented a memorandum addressed to All County Employees requesting that they not park in the "Visitor" and "15-minute" parking spaces as those areas should be reserved for visitor parking only. The memorandum further points out that the "Handicapped" parking spaces are reserved for the express purpose of accommodating individuals with handicaps.

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

7) **Sludge Utilization Permit Application**

The County Administrator presented correspondence from the Maryland Department of Environment forwarding modifications to Sewage Sludge Permit Applications for Kenneth and Warren Burroughs properties. He therefore presented the standard response indicating that the County would not exercise its right to request a public informational meeting.

Commissioner Jarboe moved, seconded by Commissioner Thompson, to direct the County Administrator to prepare correspondence to MDE requesting that the referenced application modification be included in the public informational meeting that had been requested at the October 26 County Commissioners' meeting. Motion carried.

8) **Appointments
Boards, Committees, Commissions**

Commissioner Bailey moved, seconded by Commissioner Lancaster, and motion carried four to one, with Commissioner Thompson voting against, to make the following appointments:

<u>Commission for Women</u>	<u>Terms to Expire</u>
Catherine Coates	06/30/97
<u>Economic Development Commission</u>	
Charles Hayden	06/30/96/99
<u>Library Board of Trustees</u>	
Lorraine B. Wallace	12/31/96/2001
<u>Mental Health Authority Board</u>	
Catherine Askey	12/31/94
<u>Southern Maryland Private Industry Council</u>	
Ella May Russell	06/30/97
<u>Zoning Board of Appeals</u>	
Charles Newkirk (1st Alternate)	12/31/94/98

PROCLAMATIONS

The County Commissioners presented the following Proclamations:

VFW - Buddy Poppy Days

Designating the week of November 6 - 13, 1993 as VFW Buddy Poppy Days in St. Mary's County.

Optimist Clubs - Youth Appreciation Week

Present: Steve Raley, Optimist Club

Designating the week of November 8 - 14, 1993 as Youth Appreciation Week

**LIBRARY BOARD OF TRUSTEES
FUNDING REQUEST**

Present: Mary Ann Chasen, President, Library Board
Everlyn Holland
Fred Powledge
Charles Young
Mary Wood, Librarian

The referenced individuals appeared before the Commissioners to request consideration for allocation of \$100,000 of the recently announced Undesignated Fund Balance for the purpose of purchasing additional books for the library system. Mrs. Chasen advised that the number of library books per capita has decreased while the County's population has increased and also pointed out that the library costs rise each year. Mrs. Chasen distributed a handout setting forth book budget comparisons (1989 - 1993) book stock comparisons, county public library rankings and a list of books being requested and costs. Each of the library board members expressed their concerns relative to book and periodical shortages and that it was important to the community to have adequate library materials.

In closing the Commissioners thanked the Library representatives for bringing their concerns to the Board.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) **DEVELOPMENT DOCUMENTS**

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

St. George's Drive

Deed dated November 30, 1990 between St. Mary's One Limited Partnership and Board of County Commissioners accepting St. George's Drive into the County Highway Maintenance System.

Road Resolution No. R93-20 posting St. George's Drive at 25 miles per hour.

Road Resolution No. R93-21 designating St. George Drive as a Stop Street at its intersection with Md. Route 237.

Bosse Manor

Deed dated August 26, 1993 between Herman L. Bosse and M. Lorene Bosse and the Board of County Commissioners of St. Mary's County accepting Etna Court into the County Highway Maintenance System.

Road Resolution No. R93-18 posting Etna Court at 25 miles per hour.

Road Resolution No. R93-19 designating Etna Court as a Stop Street at its intersection with Md. Route 5.

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

2) **Road Resolution
Hewitt's Road**

Mr. Ichniowski presented a Road Resolution establishing a "No Parking" Zone on Hewitts Road in the vicinity of Chancellor's Run Road for approximately 680 feet.

The Commissioners deferred a decision on the Road Resolution until they had an opportunity to visit the site.

3) **St. Mary's County Airport
Agreement with GBW Partnership**

Mr. Ichniowski presented an Agreement between Board of County Commissioners of St. Mary's County and GBW Partnership (Richard Gibbons, Steve Bildman, and Patrick Weaver) and Calvert Bank and Trust Company of Prince Frederick which recognizes the assignment of the lease to the bank in order to guarantee the financial loan for the project. The assignment is in accordance with the terms of the lease.

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

4) **Petition - Maryland Higher Education Commission
Charles County Community College**

(For the record Commissioner Loffler indicated that he has been abstaining from participating in discussions regarding the Community College because of business associates involved in the property exchange. He stated that that has now been finalized and that he will now participate in the discussions.)

Mr. Ichniowski presented the following Petitions to the Maryland Higher Education Commission regarding financial assistance for the construction of the Charles County Community College at St. Mary's:

- o Petition for grant of \$324,483 (66.3% of \$489,417)
- o Petition for grant of \$32,746 (66.3% of \$49,390)

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

ST. MARY'S COUNTY ANNUAL REPORT

Commissioner Thompson advised that comments offered by the Commissioners at last week's meeting have been incorporated into the draft County Annual Report. She stated that she believed the report provides the community with a one-source document giving the sense of the condition of the county, what the Commissioners have been doing, and what the Commissioners plan on doing with the issues that affect the County.

Commissioner Thompson moved, seconded by Commissioner Loffler, to direct staff to proceed to finalize the preparations of the Annual Report and return to the Board with a recommended report and costs. Motion was defeated with a vote of two in favor (Commissioners Loffler and Thompson); two opposed (Commissioners Jarboe and Lancaster); and one abstention (Commissioner Bailey).

**NOVEMBER 9 PUBLIC INFORMATIONAL MEETING
ECONOMIC DEVELOPMENT AND COMMUNITY APPEARANCE
(INCLUDING SIGN REGULATIONS)**

Commissioner Thompson suggested that the Commissioners from Charles and Calvert Counties be invited to the referenced public informational meeting scheduled for November 9. The Commissioners gave their concurrence.

STAFF MEETING

The Commissioners attended the regular monthly staff meeting at the Carter State Office Building Public Meeting Room.

**OFFICE ON AGING
SENIOR AID RECOGNITION PRESENTATIONS**

The Commissioners attended the Senior Aid Recognition Award presentations at the Garvey Senior Center.

EXECUTIVE SESSION

Commissioner Bailey moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss matters of Property Disposition, as provided in Article 24, Section 4-210(a)11. Motion carried.

Property Disposition

Present: Commissioner Carl M. Loffler, Jr., President
Commissioner W. Edward Bailey
Commissioner Robert T. Jarboe
Commissioner John G. Lancaster
Commissioner Barbara R. Thompson
Edward V. Cox, County Administrator
Joseph Densford, County Attorney
Charles Wade, Director of Finance
Jim Haley, Procurement Officer
Rodney Thompson, Homestead Auction
Richard Bernard, "
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11

Topic: Property Disposition - St. Mary's Press

Time Held: 3:30 p.m. - 4:20 p.m.

(Mr. Thompson and Mr. Bernard left the meeting at 4:00 p.m.)

Action Taken: The Commissioners reviewed confidential information relative to the disposition of the St. Mary's Press property and requested staff to develop alternatives for their consideration.

ADJOURNMENT

The meeting adjourned at 4:20 p.m.

7:00 P.M. PUBLIC FORUM

The Commissioners conducted the regularly monthly public forum accepting questions and comments from the audience:

Viki Volk - Inquired whether the Commissioners had been contacted by the State Prosecutor's Office regarding the Community College property purchase. Commissioners Loffler, Bailey, Jarboe and Lancaster stated they had been contacted and interviews had been scheduled.

Roy Fedders - (1) Inquired about the State Prosecutor's investigation and questioned Commissioner Loffler's involvement. Commissioner Loffler explained that the record was clear that he had not participated in any decisions regarding the community college site. (2) Requested to be considered for appointment to Commission on the Environment; (3) Inquired about appointment of past county employees on the Ethics Commission. The Commissioners explained that there was just one ex-county employee on the Commission; (4) Inquired about emergency plan for major storms and suggested the establishment of a committee for disaster preparedness. Commissioner Loffler explained the county's emergency preparedness plan and indicated he would consider a citizen committee to look at the plan.

Melva Abell - (1) Inquired whether the Commissioners would consider having the Commission on the Environment have a voice on the TEC (re specific building projects that would have an impact on the environment); (2) Like the idea of an Annual Report and have a public forum in the various districts.

Charles McLindon - (1) Inquired whether the Legislative Item submitted last week regarding HB 1088 had been included in the package. Commissioner Loffler indicated it was included in the package and explained the legislative process. Mr. McLindon requested to be provided with up dates on the status of the item. (2) Inquired about proposal for incineration. Commissioners Loffler and Jarboe explained that it was a topic of discussion at a recent Tri-County Council meeting and that a regional approach was being considered.

Daphne McGuire - Inquired about the role and function of the recently appointed Solid Waste Advisory Committee. The Commissioners indicated that the Committee can make recommendations regarding the Solid Waste Plan and that there can be majority opinion and minority opinion reports presented to the Commissioners.

Ken Hastings - Commented that the October 12 letter sent to MDE by the Commissioners did not address the Coalition's concerns regarding the compost from FERST. The Commissioners need to be more specific about the compost issue in order for MDE to respond.

Leonard Greess - Presented information he had prepared and given to the Commissioners when he worked with the County in 1988 and highlighted certain suggestions contained in the report (annual statement of goals and objectives and no-growth element of the budget). He requested a response in writing from the Commissioners at the next public forum.

Pat White - Concurred with Mr. Fedder's suggestion that there be a citizen committee for emergency preparedness.

Minnie Russell - (1) Regarding the Emergency Preparedness Plan advised the Commissioners that a better notification system was needed to inform the First District and perhaps other areas of an oncoming storm. The Commissioners advised that announcements are made on local radio stations and on cable television; (2) Inquired about the status of the one-stop shop for citizens obtaining permits.

The Public Forum concluded at 9:10 p.m.

**Minutes Approved by Board of
County Commissioners on 11/9/93**

Judith A. Spalding
Recording Secretary