

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**FEBRUARY 1, 1994**

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**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 Jarboe moved, seconded by Commissioner Lancaster, to approve the minutes of the Commissioners' meeting of Tuesday, January 25 1994. 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) **Governor's Visit - Lexington Park Project**

The County Administrator advised that Governor Schaefer will be in the Southern Maryland area on February 21 and would like to meet with county officials regarding the Community Development Block Grant project in Lexington Park (Tulagi Place redevelopment, Lexington Park development district, and Felix Johnson). The Commissioners approved the grant application on January 25, and the Governor had committed state funding for these projects. The briefing will take place at the Lexington Park Library with county officials, staff, and Navy officials present.

The Commissioners gave their concurrence.

2) **Board of Education - Grant Award**

The County Administrator presented correspondence addressed to the Board of Education approving inclusion of the grant award for "High Schools that Work" totaling \$15,000 in the Board of Education's Fiscal Year 1994 Budget.

**Commissioner Bailey moved, seconded by Commissioner Thompson, to sign and forward the letter as presented. Motion carried.**

3) **Additional Rental Allowance Program - Grant Agreement**

On behalf of the Department of Economic and Community Development the County Administrator presented a Rental Allowance Program Agreement providing an additional \$10,500 to the Program. The application for the RAP program was approved by the County Commissioners on January 25 in the amount of \$53,210, and the additional funding provides rental assistance for the Department of Social Services' Homeless Services Program.

**Commissioner Bailey moved, seconded by Commissioner Thompson, to approve and sign Motion carried.**

4) **FERST Landfill**

The County Administrator advised that the Maryland Department of Environment by letter dated January 25 responded to the County's October 12, 1993 letter relative to regulation of compost derived from municipal solid waste. Therefore, Mr. Cox presented correspondence addressed to Mr. Ron Pickett, FERST requesting information relative to the placement of compost derived from municipal solid waste in the FERST Landfill.

Discussion ensued regarding HB 1088 and the fact that FERST is exempt from any regulation regarding compost and whether compost is allowed to be placed in the landfill. Commissioner Loffler indicated that the letter should not ask what Mr. Pickett's intentions are, but should state that it is the Commissioners' understanding that the placement of compost is not permitted at the landfill.

After discussion the County Administrator agreed to rewrite the letter and bring it back for the Commissioners' consideration.

7) **Budget Amendments**

The County Administrator presented the following budget amendments recommended for approval by the Director of Finance:

**No. 94-47**  
**Finance**

To provide funding for liability insurance to cover the County for skydiving operations at County Airport (\$10,000)

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

**No. 94-48**  
**Planning and Zoning**

To provide additional funds for temporary Receptionists and temporary recording secretary from 12/19/93 through February 11, 1994 (Manpower) (\$3,200)

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

6) **Appointment**  
**Commission for Women**

Commissioner Thompson moved, seconded by Commissioner Bailey, to appoint Dr. Charlene Cole to the Commission for Women with a term to expire June 30, 1999. Motion carried.

**PROCLAMATION**  
**MARYLAND CHIEFS' CHALLENGE CAMPAIGN**  
**SAFETY BELT AND CHILD SAFETY SEAT AWARENESS MONTH**

The Commissioners presented the referenced Proclamation designating the month of February as Safety Belt and Child Safety Seat Awareness Month.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

1) **Snow/Ice Removal Costs**

Mr. Ichniowski presented up to date information relative to costs related to inclement weather (snow/ice removal) totaling \$145,166.95.

**No. 94-49**

**Department of Public Works**

Later in the meeting the County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide funding for costs beyond normal expenditure for snow and ice removal (\$113,000)

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

2) **Indian Bridge Road**

Mr. Ichniowski presented correspondence addressed to Secretary Brown, Department of Natural Resources, inviting him to continue meeting with the Commissioners on February 22 after the discussion regarding the Md. Rte. 5 to Camp Brown project. The purpose would be to discuss the impact of the endangered narrow-mouth toad on the Indian Bridge Road project.

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

3) **Hollywood Shores Shore Erosion Control Project**

Mr. Ichniowski advised that there have been delays in the referenced project due to problems encountered in design of the project. The State has terminated the original design engineer and a new engineer has been hired. This has resulted in additional design costs which will be paid back through the taxing district established in 1991.

Mr. Ichniowski presented an Amendment to Notice to Proceed with Design setting forth the additional costs.

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

4) **Leonard Hall Drill Hall  
Easement  
Easement Area Clearance and Grade Certification**

Mr. Ichniowski presented the referenced Easement between County Commissioners of St. Mary's County and Southern Maryland Electric Cooperative, Inc. and Easement Area Clearance and Grade Certification relative to the placement of underground utility lines at the Leonard Hall Drill Hall which are currently overhead.

**Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Easement Agreement and Certification as presented. Motion carried.**

5) **Resolution No. 94-02  
The Landings at Piney Point  
(Renewal of Development Rights)**

As a follow up to previous discussions and actions, Mr. Ichniowski advised that a new Public Works Agreement and Letter of Credit issued through Maryland Bank and Trust Company have been executed guaranteeing completion of the work at The Landings at Piney Point. Therefore, Director Ichniowski presented the referenced Resolution rescinding Resolution No. 93-49 and renewing all development rights.

**Commissioner Bailey moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 94-02 as presented. Motion carried.**

5) **Addenda to Public Works Agreements**

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

**Lockes Hill Forest (Minor)**

Addendum to Public Works Agreement between Glenn Larsen and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to February 1, 1995. The Addendum is backed by a Passbook Savings Account with Tri-County Federal.

**Heart's Desire**

Addendum to Public Works Agreement between Norris Pyles and the Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to August 1, 1994. The Addendum is backed by a Letter of Credit with Old Line National Bank in the amount of \$17,500.

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

**AIRPORT COMMISSION  
MEDEVAC LEASE**

Present: Dave Seeman, Chair, Airport Commission  
Joe Densford, County Attorney

As a follow up to previous discussion Mr. Seeman and Mr. Densford appeared before the Commissioners to present a Lease (sub-lease) dated January 10, 1994 between Airpark Sales & Service and the State of Maryland for the location of a hangar for the Maryland State Police MedEvac helicopter at the St. Mary's County Airport. The lease has been reviewed and recommended for approval by the Tri-County Council and Airport Commission and county staff.

Mr. Densford presented an Addendum to the referenced Lease prepared in letter form to the Board of County Commissioners from the Department of Public Safety and Correctional Services setting forth certain assurances and conditions including liability insurance coverage, compliance with airport rules and regulations, etc.

**After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Lease as presented. Motion carried.**

With regard to the Rules and Regulations and Minimum Standards for the operation of the St. Mary's County Airport, Mr. Densford advised that they have been drafted, and a public hearing will be scheduled in the near future.

## **ANIMAL CONTROL ORDINANCE**

Commissioner Thompson indicated that when the Animal Control Ordinance was adopted, the Commissioners had suggested that veterinarians be authorized to sell dog/cat licenses and inquired as to the status of that request. County Administrator Cox reported that the Director of EMA and the County Treasurer were working together to accomplish this beginning July 1.

## **EXECUTIVE SESSIONS**

Commissioner Bailey moved, seconded by Commissioner Lancaster to meet in Executive Session to discuss a matter of Personnel (Consideration of Appointments to Boards, Committees, Commissions), as provided in Article 24, Section 4-210(a)1 and Property Acquisition (Recreation and Parks), as provided for in Article 24, Section 4-210(a)11. Motion carried.

### **Personnel**

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner Robert T. Jarboe  
Commissioner John G. Lancaster  
Commissioner Barbara R. Thompson  
George Foster, Personnel Officer  
Evelyn Wood, Asst. Personnel Officer  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1

Topic: Personnel (Grievance Appeal)

Time Held: 10:30 a.m. - 11:20 a.m.

Action Taken: The Commissioners reviewed the Grievance Record and the options for handling and agreed to meet next week to discuss the matter further.

### **Property Acquisition**

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  
Phil Rollins, Director, Recreation and Parks  
Judith A. Spalding, Recording Secretary

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

Topic: Property Acquisition (Recreation and Parks)

Time Held: 11:25 a.m. - 11:55 a.m.

(Commissioner Jarboe left the meeting at 11:35 a.m.)

Action Taken: The Commissioners reviewed information presented by Mr. Rollins, offered suggestions for priorities, and expressed no objection for Mr. Rollins to send letter to Program Open Space.

## **STAFF MEETING**

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

## **GRASS CUTTING COST STUDY REPORT**

Present: Jim Haley, Procurement Officer  
George Jarboe, Public Works  
Phil Rollins, Director, Recreation and Parks  
Bill Ball, "  
Marty Jones, Finance

The referenced members of the Standing Committee for Grass Cutting Cost Study appeared before the Commissioners to present the Committee's Report and Recommendations. Mr. Haley indicated that the Commissioners had appointed the Committee to determine whether it would be more cost effective to contract out grass cutting operations than using county staff. He stated that bids were solicited and two eligible proposals were received--Cain & Cammack, Inc. (\$195,040) and Recreation and Parks (\$320,692). After checking references and meeting with the low bidder, the Committee determined that Cain & Cammack was a responsive and responsible bidder.

Mrs. Jones reviewed cost comparisons for a three-year period for in-house and contracted services which illustrated the cost savings to the county by using contract services.

Mr. Rollins described the benefits of contracting out the services which include: full time employment will not be affected; contractor will offer employment to seasonal workers; more park maintenance will be performed; and reduced investment in capital costs.

The Parks Maintenance and Contract Monitoring Plan will result in: Reduction from eight to four park crews; reduction from 15 to two seasonal workers; establishment of four geographic maintenance areas; monitoring of contract performance by foreman; work force directed to other important park maintenance; and monitoring by Board of Education of contract performance at schools.

In conclusion the Committee recommended that the Commissioners approve contracting with Cain & Cammack for the grass cutting operations for the Department of Recreation and Parks.

**After discussion Commissioner Bailey moved, seconded by Commissioner Thompson, to accept the recommendation of the Grass Cutting Cost Study Committee. Motion carried.**

## **COMMUNITY ARTS DEVELOPMENT GRANT APPLICATION FREEDOM FEST**

The County Administrator presented the referenced Community Arts Development Grant Application to be submitted to the St. Mary's County Arts Council for funding in the amount of \$1200 to be used to pay for main stage performers at Freedom Fest '94.

**Commissioner Lancaster moved, seconded by Commissioner Thompson, to approve and authorize Commissioner Loffler to sign the Grant Application as presented. Motion carried.**

## **ADJOURNMENT**

The meeting adjourned at 3:35 p.m.

7:00 P.M.

**ANNUAL ECONOMIC UPDATE  
FISCAL YEAR 1995 - REVENUE PROJECTIONS**

Present: Aleck Loker, Director, DECD  
Charles Wade, Director of Finance  
Sue Wilkerson, Economic Specialist, DECD

By way of a slide presentation Mr. Loker presented the Annual Economic Update for St. Mary's County. The presentation included the national and state economy data, growth in population and jobs in the county since 1970, unemployment rates, manpower trends, high tech employment statistics ranked by county (St. Mary's County ranked the highest), average weekly Unemployment Insurance wages, retail tax collections, new construction assessments, building permits issued, houses sold, average home sales price, site visitation statistics, agricultural land transferred, tobacco crop, and seafood production.

Mr. Wade presented the Revenue Forecast for Fiscal Year 1995 by reviewing the changes in revenue structure (increase in piggyback income tax rate and decrease in property tax rate; other financing resources (lease purchase, appropriation of prior year fund balance); and commitments for FY '95 budget. In addition Mr. Wade reviewed the various sources of revenues pointing out increases/decreases anticipated for Fiscal Year 1995.

After the presentation the Commissioners accepted questions and comments from the audience.

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

**PUBLIC FORUM**

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

**Keith McGuire** - Referred to the recent Regional Solid Waste Task Force Report entitled *Trash Can Realities - Managing Solid Waste Crisis in Southern Maryland*, and stated he felt the recommendations contained in the report were focused more toward Calvert and Charles Counties. He further indicated that he did not believe St. Mary's County was not adequately represented on the Task Force stating there are many citizens in the County who are concerned about this issue.

**Melva Abell** - Referring to Regional Solid Waste Task Force Report and suggested the use of Recovermat, a product made up of construction debris, as mentioned in the Task Force's Report, at the St. Mary's County Landfill as a cover. Commissioner Loffler responded that it could be used as a weighted material; however, transporting it from any distance may not be cost effective.

**Brad Ruby** - Referred to last year's budget process and the fact that the Commissioners held a public hearing after making a decision to raise the piggyback tax. He requested that the Commissioners have the public meeting process prior to any budget decisions. Commissioner Thompson responded that the Commissioners learned late in the process that a public hearing was required for the piggyback tax.

**Larry Pinto** - Urged the Commissioners to take caution with regard to the Regional Solid Waste Task Force's report stating that the recommendations were not advantageous to St. Mary's County, which could be the "loser" because of its rural nature.

**Ken Hastings** - Expressed concern relative to the Regional Solid Waste Task Force Report, specifically the emphasis on regionalism, cost effectiveness of implementing recommendations, and the negative impact it could have on the County.

**Pat White** - Referred to the issue of incineration and recycling stating that incineration requires materials that used for recycling, thereby defeating the principle of recycling. In addition Dr. White thanked Commissioner Thompson for giving assistance to a county resident.

**The Public Forum concluded at 9:05 p.m.**

**Minutes Approved by Board of  
County Commissioners on 2/8/94**

*Judith A. Spalding*  
**Recording Secretary**