

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**APRIL 5, 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

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

**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, March 29, 1994. Motion carried.

**APPROVAL OF BILLS**

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

**COUNTY ADMINISTRATOR ITEMS**

Present: Edward V. Cox, County Administrator

1) **Marcey House Loan Agreement**

As a follow up to previous discussion, the County Administrator presented a Loan Agreement between the Board of County Commissioners and Marcey Halfway House wherein the County agrees to loan Marcey House \$16,000 to cover the Fiscal Year 1994 shortfall.

**Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve and sign the Loan Agreement as presented. Motion carried.**

2) **Response Letter  
Transfer Station Fees**

The County Administrator presented correspondence in response to Ken Hastings letter of March 21 relative to a proposal for transfer station fees that have been included in the FY '95 Recommended Budget. The return letter indicates that his comments will be taken into consideration during budget deliberations.

In addition County Administrator Cox presented correspondence addressed to the Solid Waste Advisory Committee responding to March 24 correspondence regarding the proposed transfer station fees. The return letter indicates concurrence for the Committee to assist in developing a transfer station fee and advises that staff will be attending the Committee's next meeting to discuss this issue.

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

4) **Response Letter  
Airport Commission Meetings**

The County Administrator presented correspondence addressed to The Skydiving Center of Greater Washington acknowledging receipt of the March 10 letter regarding the Airport Commission meetings. The letter indicates that the Commissioners have shared the letter with the Airport Commission and are confident the Commission will conduct its affairs in an open and considerate manner.

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

3) **Personnel  
Extension of Temporary Employment**

The County Administrator presented the following requests for extension of temporary employment:

**State's Attorney's Office**

Memorandum dated April 5 from Personnel Officer advising that the State's Attorney is requesting the temporary employment of David Bailey be extended for a period of three additional months through June 8, 1994. State's Attorney Dorsey has requested the extension because Mr. Bailey is assisting with the compilation of records in several court cases.

**Recreation and Parks**

Memorandum dated April 5 from the Personnel Officer requesting approval to retain Jeffrey L. Combs, a seasonal Grounds Maintenance Foreman, through June 1995. During the FY '95 budget process, 12 of 14 seasonal positions were deleted and the functions contracted out. Director of Recreation and Parks Phil Rollins is requesting a one-year extension in order to allow his department to evaluate park maintenance staffing levels in relation to the changes in functions.

**Commissioner Lancaster moved, seconded by Commissioner Jarboe, to approve the referenced requests for extension of temporary employment. Motion carried.**

5) **Child Care Center Grant Renewal**

On behalf of the Office of Community Services, the County Administrator presented correspondence to the Child Care Administration requesting a renewal of the contract for the St. Mary's School-Age Child Care and Development Block Grant funds and forwarding related documents. The grant, 65%-35%, will provide continued funding for the before and after school child care centers. No county funds are involved.

**Commissioner Lancaster moved, seconded by Commissioner Jarboe, to sign the grant renewal request as presented. Motion carried.**

6) **Letters of Appreciation  
Lexington Park Business Breakfast**

The County Administrator presented correspondence to those individuals who attended the Lexington Park Business breakfast meeting held February 22 expressing appreciation for their participation.

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

7) **Budget Amendments**

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

**No. 94-68**

**Department of Public Works**

To cover salary costs for Building Services Division (\$1,000)

**No. 94-69**

**Department of Public Works**

To cover payroll costs for Vehicle Maintenance Shop (\$15,100)

**No. 94-70**

**Social Services**

To provide funds for Burial Assistance (\$650)

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

**(Commissioner Bailey entered the meeting - 9:40 a.m.)**

**8) Sheriff's Department - Donation of Bicycles**

The County Administrator presented a memorandum dated April 4 from the Sheriff's Department requesting authorization to donate three unclaimed bicycles to the St. Clements Museum's Annual Richard D. Arnold Auction.

**Commissioner Bailey moved, seconded by Commissioner Thompson, to approve the request. Motion carried.**

**9) Office on Aging - Revised Title III Grant**

The County Administrator presented a memorandum dated March 31 from the Office on Aging requesting the Commissioners to approve the Revised Title III Notification of Grant Award for Fiscal Year 1994 in the revised amount of \$187,456 which includes a carry over of \$16,843.

**Commissioner Lancaster moved, seconded by Bailey, to approve and authorize Commissioner Loffler to sign the Revised Notification of Grant Award as presented. Motion carried.**

**ANNUAL REPORT - ST. CLEMENTS MUSEUM BOARD**

Present: Roy Dyson, Chair  
Bob Arnold  
Jim Banagan  
Kim Cullins  
Louanne Bailey  
Phil Rollins, Director, Recreation and Parks  
Michael Humphries, Director, Museum

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the St. Clements Island - Potomac River Museum. Mr. Dyson reviewed the history of the museum and the establishment of the Museum Board. During his presentation Mr. Dyson emphasized the importance of the museum to the history of Maryland and the valuable contributions it makes to the community. He suggested that the local schools be required to take the students on a field trip to the museum before going to sights in Washington, D.C., pointing out that it was a safer alternative.

Mr. Dyson commended the Commissioners for their continued support of the museum and the staff and volunteers for their efforts in making the museum an important attraction in the county.

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

### **ANNUAL REPORT - RECREATION AND PARKS BOARD**

Present: John P. Harden, Chair  
Phil Rollins, Director

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the Recreation and Parks Board. Mr. Harden reviewed the Board's mission statement and achievements during the past year (including: Land Preservation and Recreation Plan; Lighting of fields at Regional Park; Gymnastics Center in Lexington Park; and statistics for recreational program usage). The focus for 1994 includes completion of the activity center and Hall of Fame construction; Regional Park Development; design/development of Piney Point Waterfront; and Indoor Recreation Center (Drill Hall).

During his presentation Mr. Harden pointed out that it was essential that everyone should have an opportunity to play and requested the Commissioners' consideration to subsidize the camp for handicapped individuals and the low-income scholarship program. Mr. Harden also pointed out that because of growth in the county and the increased number of participants in the programs, there was a need for an additional park superintendent position.

Issues discussed during the presentation included:

- o Need for public waterfront property
- o Greenwell State Park should be looked into before pursuing other sites
- o Whether the Commissioners should subsidize those who cannot afford to pay.
- o The Board of Education's role in providing programs for handicapped youth at Green Holly.

In conclusion the Commissioners indicated they would give consideration to the requests during the Fiscal Year 1995 budget deliberations.

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

### **ANNUAL REPORT - WICOMICO RECREATION COMPLEX**

Present: James Banagan, Chair  
Phil Rollins, Director, Recreation and Parks

The referenced individuals appeared before the Commissioners to present the 1993 Annual Report for the Wicomico Recreation Complex. The report included Financial Statement comparisons for years 1991, '92 and '93; highlights and statistics of the past year (rounds of golf, junior golf program, golf association events, ladies clinics tournaments); waterfront operation summary (participation and capital improvements); and fee schedules.

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

### **PROCLAMATIONS**

The Commissioners presented the following Proclamations

#### **Margaret Brent School Safety Awareness Day**

Designating April 11 as Margaret Brent School Safety Awareness Day

#### **National Medical Laboratories Week**

Designating the week of April 10 - 16, 1994 as National Medical Laboratories Week

#### **Fair Housing Month**

Designating April 1994 as Fair Housing Month

#### **National Public Safety Telecommunications Week**

Designating the week of April 10-16, 1994 as National Public Safety Telecommunications Week

**RESOLUTION NO. 94-03  
SELF-INSURANCE FUND DISSOLUTION**

Present: Joe Densford, County Attorney  
Steve King, Deputy Director, Metropolitan Commission  
Joe Suchinsky, Accountant, Finance Department

The referenced individuals appeared before the Commissioners to present a Resolution dissolving the St. Mary's County Self-Insurance fund. Mr. Densford explained that the fund was established in 1986 to provide insurance coverage for general liability and business automobile insurance coverage for the Commissioners and the Metropolitan Commission. However, when the Local Government Insurance Trust was established, St. Mary's County Government joined LGIT in July of 1987 and terminated the contributions to the Self-Insurance Fund. The Metropolitan Commission joined LGIT in November of 1993, thereby making the Self-Insurance Fund no longer necessary.

Mr. Densford pointed out that the Metropolitan Commission has one remaining claim against it and that MetComm will take the balance of the funds and create its own fund to pay any claims that may be filed prior to coverage by LGIT in November.

The Commissioners indicated concern relative to the outstanding claim and Commissioner Loffler suggested that MetComm place the funds in escrow until all outstanding claims have been resolved. Mr. King indicated agreement with the recommendation.

**After discussion Commissioner Jarboe moved, seconded by Commissioner Lancaster to approve and sign Resolution No. 94-03 dissolving the St. Mary's County Self-Insurance fund, and that MetComm be reimbursed for all remaining funds which it contributed, subject to MetComm holding the funds in escrow until outstanding claims are settled. Motion carried.**

**DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT  
FINAL STRATEGIC PLAN**

Present: Aleck Loker, Director  
DECD Staff

As a follow up to a previous presentation, Mr. Loker and the DECD staff appeared before the Commissioners to present the Final Strategic Plan which provides an overall framework for how DECD conducts its business. Mr. Loker advised that the first step of the plan, development of the Vision, had been completed and the next step was the establishment of strategy statements supported by specific goals and objectives.

During his presentation Mr. Loker reviewed the five strategies with the goals and objectives of each and pointed out that the plan will be regularly reviewed and updated.

During discussion Commissioner Loffler suggested that DECD take a look at the recycling issue and perhaps concentrate on a part of the recycling market.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

**1) Yowaiski Mill Road**

Relative to the Yowaiski Mill Road construction project, Mr. Ichniowski presented the following Deeds and Easement Agreements for the Commissioners' review and approval:

**Middletons**

Deed dated July 1993 between Robert L. Middleton and Barbara W. Middleton and the Board of County Commissioners of St. Mary's County in the amount of \$1882.50.

**Middleton (continued)** - Easement Agreement dated January 25, 1994 between Robert L. Middleton and Barbara W. Middleton and the Board of County Commissioners of St. Mary's County.

Perpetual Easement Agreement dated January 25, 1994 between Robert L. Middleton and Barbara W. Middleton and the Board of County Commissioners of St. Mary's County.

**England**

Deed dated 1993 between Marjorie A. England and the Board of County Commissioners of St. Mary's County in the amount of \$1882.50

Easement Agreement dated 1993 between Marjorie A. England and the Board of County Commissioners of St. Mary's County.

Perpetual Easement Agreement dated 1993 between Marjorie A. England and the Board of County Commissioners of St. Mary's County.

**Thomas (Louis)**

Deed dated March 24, 1994 between Louis X. Thomas and Jane C. Thomas and the Board of County Commissioners of St. Mary's County in the amount of \$4,950.

Temporary Easement Agreement dated March 24, 1994 between Louis X. Thomas and Jane C. Thomas and the Board of County Commissioners of St. Mary's County.

Deed dated March 24, 1994 between Louis X. Thomas and Jane C. Thomas and the Board of County Commissioners of St. Mary's County in the amount of \$2,511.

Easement Agreement dated March 24, 1994 between Louis X. Thomas and Jane C. Thomas and the Board of County Commissioners of St. Mary's County.

Deed dated March 24, 1994 between Louis X. Thomas and the Board of County Commissioners of St. Mary's County in the amount of \$5,433

Deed dated March 24, 1994 between Louis X. Thomas and Jane C. Thomas and the Board of County Commissioners of St. Mary's County in the amount of \$1,507.

**Thomas (Clarence F.)**

Deed dated March 24, 1994 between Clarence F. Thomas and Ann M. Thomas and the Board of County Commissioners of St. Mary's County in the amount of \$2,055.

Temporary Easement Agreement dated March 24, 1994 between Clarence F. Thomas and Ann M. Thomas and the Board of County Commissioners of St. Mary's County.

**Lung**

Deed dated June 15, 1993 between Roy L. Lung and the Board of County Commissioners of St. Mary's County in the amount of \$1.

Easement Agreement dated June 15, 1993 between Roy L. Lung and the Board of County Commissioners of St. Mary's County.

**Rison**

Easement Agreement dated February 25, 1994 between Donald R. Rison and Louis G. Rison and the Board of County Commissioners of St. Mary's County.

**Torjak/Burnette**

Deed between Louis A. Torjak and Charla C. Burnette and the Board of County Commissioners in the amount \$1.

Easement Agreement dated February 25, 1994 between Louis A. Torjak and Charla C. Burnette and the Board of County Commissioners of St. Mary's County.

**Thunell**

Deed between Robert R. Thunell and Frances M. Thunell and the Board of County Commissioners in the amount \$1

Easement Agreement between Robert R. Thunell and Frances M. Thunell and the Board of County Commissioners.

**Burroughs**

Deed between Mark David Burroughs and the Board of County Commissioners in the amount \$1

Easement Agreement dated February 21, 1994 between Mark David Burroughs and the Board of County Commissioners.

**Braun**

Deed between Donald e. Braun and Mary E. Braun and the Board of County Commissioners in the amount of \$1200.

Easement Agreement between Donald E. Braun and Mary E. Braun and the Board of County Commissioners.

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

**2) Recycling Grant Agreement**

Mr. Ichniowski presented a Recycling Grant Agreement between the Maryland Department of Environment Service and St. Mary's County in the amount of \$26,750. The grant funds will be used for: purchase of yard waste composting equipment, mobile recycling units for special events, and magazine storage boxes. Mr. Ichniowski noted that the grant will offset a portion of the funds requested in the FY '95 budget.

**Commissioner Bailey moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Loffler to sign the Grant Agreement as presented. Motion carried.**

**3) Miscellaneous**

The Commissioners requested Mr. Ichniowski to look into the following:

- o Yowaski Mill Road - Whether state funds can be transferred from the Yowaski Mill Road Project and use impact fee funds for the project thereby freeing up general funds (Commissioner Loffler).
- o Redmond Road -To discuss the history of the project on April 19 and to look into whether the approval process needs to be modified (Commissioner Loffler).
- o Bay Bridge Drive - status report because of reported flooding (Commissioner Bailey).
- o Control Center - Check into leaking problems.

**STAFF MEETING**

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

**WALDEN-SIERRA - ANNUAL REPORT**

Present: Kathy O'Brien, Director  
Board Members and Staff

Mrs. O'Brien appeared before the Commissioners to present the Annual Report of Walden/Sierra and to request reconsideration of their funding request. The report included an Organizational Chart; residential, and outpatient services, statistics relative to crisis services, substance abuse treatment, women's treatment services, sexual assault and child sexual abuse, Kathy Lawrence Adolescent Shelter, etc.

During review of the statistics Mrs. O'Brien pointed out the significant increase in case loads, but there has been no increase in staffing and the County has not increased its allocation to Walden in the last five years. She advised that Walden had requested an increase of \$36,000 but received only \$6,000 in the Recommended Budget.

In closing the Commissioners thanked the Walden representatives and indicated they would give consideration to the request during budget deliberations.

**DEPARTMENT OF PLANNING AND ZONING  
ZONING ORDINANCE - ARTICLE 53.22 - ROADSIDE STANDS**

Present: Jon Grimm, Director

At the request of the Commissioners Mr. Grimm appeared before the Commissioners to discuss Article 53.22 of the Zoning Ordinance relative to roadside stands. At last week's meeting Commissioner Bailey referred to a roadside stand pavilion to be constructed on Route 234 and questioned the building size limitations and the requirement for a privy.

Mr. Grimm advised that he had received a March 16 memorandum from the Agriculture/Seafood Specialist addressing the restrictions of the Ordinance relative to the proposed stand on Route and pointed out that this will be one of the items considered during the annual review.



In response to inquiries from the Commissioners Mr. Grimm indicated that the Commissioners did not have the authority to waive the requirements of the Zoning Ordinance, but that the proposed amendments will be considered by the Planning Commission at an April 25 public hearing.

After discussion Commissioner Thompson moved, seconded by Commissioner Bailey, to direct Department of Planning and Zoning to develop the following modifications to the Zoning Ordinance: eliminate #1 - building size restrictions; eliminate #5 - privy requirement; and delete "to be determined by the Board of Appeals, based upon the character of the neighborhood" in #4 relative to parking requirements. Motion carried.

#### **REDMOND ROAD - CHESTNUT HILLS**

The Commissioners discussed the comments from the March 29 public hearing relative to the road name change for Redmond Road in Chestnut Hills during which concerns were raised by the residents as to safety issues. The Commissioners reviewed the site plan and indicated they would visit the site prior to discussion of the safety issues with Department of Public Works on April 19.

#### **ST. MARY'S COUNTY AIRPORT - GASOLINE STORAGE TANK**

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

Relative to February 14 correspondence from the Skydivers' counsel requesting a demised area at the Airport for the installation of a fuel tank for the purpose of fueling their aircraft, Mr. Densford presented a response letter. The return letter supports the January 24 letter from the Airport Commission which indicated that the Commission had determined to permit self-fueling at a single self-fueling area established for all users. The letter further points out that the preliminary draft of the Airport Rules identifies the location and outlines the process for self-fueling. Mr. Densford advised that a response from Air Park Sales and Service dated February 16 to the Airport Commission addressing the fuel request will be forwarded with the County's response letter.

In addition Mr. Densford advised that the response correspondence corrects certain inaccuracies contained in the Skydivers' counsel's letter of February 14.

After discussion Commissioner Bailey moved, seconded by Commissioner Jarboe, to sign and forward the letter as presented along with the letter from Airpark Sales and Service. Motion carried.

#### **ADJOURNMENT**

The meeting adjourned at 4:35 p.m.

7:00 P.M.

#### **FISCAL YEAR 1994-1995 BUDGET OVERVIEW - RECOMMENDED BUDGET**

Present: Charles Wade, Director of Finance

Mr. Wade presented an overview of the Fiscal Year 1995 Recommended Budget, which was approved and signed by the County Commissioners on March 29 and will be taken to public hearing on April 19 and 26.

#### **PUBLIC FORUM**

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

**Vaughn McCall** - (1) Questioned the county's payment of \$5,000 a month for liability insurance relative to the Skydivers. Commissioner Loffler explained that the insurance covered the County relative to the Skydivers' operation and that Local Government Insurance Trust covered the county a period of time. The County has subsequently found commercial liability insurance to cover the county for \$5M at a cost of \$5,000/year. (2) Suggested that the transfer station be renamed "Recycling and Transfer Station."

**Ken Hastings** - Presented a handout relative to transfer station fees setting forth problems with charging a fee, sources of landfill waste and suggesting that the County find another way of handling the transfer stations. He suggested that the County reduce expenditures, not increase taxes.

**Daphne McGuire** - (1) Regarding proposed transfer station fee -Inquired whether citizens would get a break if they recycle. (Commissioner Thompson explained that there would be no charge for recycling.); (2) Indicated that she believed the County made a mistake by combining the Recycling Committee into the Solid Waste Advisory Committee. (Commissioner Loffler explained that Recycling was an important element of solid waste plan.). (3) Indicated that some businesses will not report how much they recycle.

**Brady Ruby** - (1) Suggested that the four-bag limitation at the transfer station be enforced. (2) Suggested that shopping centers be required to have trash containers sized based on the square footage of the center.

**Jay Hanks** - Suggested there by a county-wide trash system rather than a number of small trash haulers; that there should be recycling containers on the trucks for picking up recyclables at curbside.

**Jane Aldridge (League of Women Voters)** - Stated that the key to solid waste problems is source reduction and that people need to be educated to make proper purchasing decisions (items that have less waste).

**Larry Pinto** - (1) Inquired whether there had been a survey of the trash stream in order to know how much recyclables were going into the regular trash. (County Administrator Cox indicated that some time ago the consultants for the Solid Waste Plan had conducted such a survey.) (2) Regarding municipal solid waste compost--MDE has regulatory authority when its produced and if it goes into a landfill, but has no authority to regulate distribution (on farmlands). The Department of Agriculture has proposed regulations to regulate the distribution and sale of municipal waste compost. Department of Agriculture requires the operator to take a number of samples, analyze them and send a report. He pointed out that FERST has requested that the identity of farms that have this compost applied not be subject to the Freedom of Information Act.

**Bert Gagnon** - (1) Expressed opposition to the 10% increase in the piggyback tax; (2) Relative to refuse, Americans must learn to stop wasting.

**Mary Ann Chasen** - Advised that there are a number of magazines on the market on small businesses and recycling and environmental issues. If EDC is going to pursue the recycling issue, the library could run a computer data base to get the information. She stated that rather than having more regulations, there should be more education about the environment and recycling offered to the public. The community should get more involved in recycling.

**Pat White** - A long-term plan for source reduction is needed and that one of the quickest ways to address the waste issue is amnesty days.

**The Public Forum concluded at 9:00 p.m.**

**Minutes Approved by Board of  
County Commissioners on 4/12/94**

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