

**ST. MARY'S COUNTY**  
**BOARD OF COUNTY COMMISSIONERS**  
**JANUARY 17, 1995**

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Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

**LEAGUE OF WOMEN VOTERS' BREAKFAST**

Prior to the beginning of the meeting, the Commissioners attended a Continental Breakfast in Room 16 of the Governmental Center sponsored by the League of Women Voters.

**CALL TO ORDER**

The meeting was called to order at 9:05 a.m.

**APPROVAL OF MINUTES**

Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve the minutes of the County Commissioners' meeting of Tuesday, January 10, 1995. Motion carried.

**APPROVAL OF BILLS**

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

**LEAGUE OF WOMEN VOTERS**

Present: Jane Aldridge, President, LWV

The referenced representatives of the League of Women Voters appeared before the Commissioners to receive a Commendation recognizing the 75th Anniversary of the national league and the 19th Anniversary of the St. Mary's County league.

In addition Mrs. Aldridge advised that the League believes that local government should be a concerted effort to involve the citizens and address certain areas for the Commissioners to achieve this goal which included:

- Continuing monthly public forums
- Pursuing the publication of an annual report
- Creating a responsible solid waste management policy including hiring a solid waste engineer and recycling coordinator.
- Reconstituting the Cable TV Advisory Committee so that it is an active body.

Mrs. Aldridge pointed out that videotaping and broadcasting of the Commissioners' meetings is an important public service which needs the Board's support, which could include appointing a staff member to oversee the Cable Advisory Committee; providing a schedule of public meetings; improving the sound quality in the Commissioners' conference room; requesting adequate equipment for public access users; and requesting more air time for public access programming.

Commissioner Thompson responded that the first three items are being done by the Board. Discussion ensued relative to the videotaping and broadcasting of the Commissioners' meetings and Commissioner Brugman suggested that the County provide the video tapes with copies being made available at the three county libraries.

In conclusion the Commissioners indicated support of the League's efforts and would take its recommendations under consideration.

## COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

### 1) **Fiscal Year 1996 Budget Development**

Also Present: Charles Wade, Director of Finance

Mr. Wade distributed a handout setting forth the schedule for the development of the Fiscal Year 1996 Budget stating that the budget reviews have tentatively been scheduled for Tuesdays, Wednesday afternoons, and Thursday afternoons beginning with January 31.

During discussion the Commissioners requested Mr. Wade to revise the schedule as follows: Tuesdays and a.m. and p.m. on Thursdays. Mr. Wade agreed to amend the schedule to accommodate the Commissioners' schedules.

### 2) **Enhanced 911 Uniform Addressing System**

Also Present: Paul Wible, Chair, Task Force  
Connie Johnson, Addressing Technician  
Mary Pat Pope, Administrative Officer

As a follow up to last week's discussion, the referenced individuals appeared before the Commissioners to discuss the validation process for the renaming of Leonardtown Road (Maryland Route 5 from Halfway House to Point Lookout).

Mrs. Johnson explained the process used in validating the two petitions that had been received (one requesting the name of St. Mary's Parkway; the other requesting the name of Point Lookout Road). She stated that Leonardtown Road contains 1056 parcels and 529 signatures would be needed to meet the 51% requirement. The "St. Mary's Parkway" petition contained 780 signatures (with 79 property owners on Leonardtown Road); "Point Lookout Road" contained 921 signatures (with 153 property owners on Leonardtown Road). Mrs. Johnson noted that even with combining the two petitions, those owning property are only 232 property owners along Leonardtown Road, not enough for 51%.

In response to inquiries from the Commissioners, Mrs. Johnson advised that the only way Leonardtown Road can be changed would be a public hearing after July 1 provided a petition with the required number of signatures has been submitted.

In conclusion Mrs. Pope reported to the Commissioners that the public hearing for administrative changes has been scheduled for February 14 and the hearing for the remaining road name changes has been scheduled for February 21 at 7 p.m.

### 3) **Response Letters**

The County Administrator presented the following response letters for the Commissioners' review and signatures:

#### **Recreational Sports Activities**

To the Potomac River Association, in response to letter of January 5, providing information on various sports activities and advising that a copy of the letter had been forwarded to the Director of Recreation and Parks.

#### **Staff Changes**

To Lawrence J. Pinto expressing appreciation for his January 3 letter regarding staff changes.

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

4) **Resolution**  
**Appointment of Enforcement Officers and Hearing Officers**  
**St. Mary's County Airport**

Also Present: Joe Densford, County Attorney

As a follow up to the January 10 Executive Session the County Administrator presented the referenced draft Resolution appointing Corporal Charles E. Malone and Corporal John E. Horne, St. Mary's County Sheriff's Department, as enforcement officers at the St. Mary's County Airport and further appointing Attorneys Robert J. Flynn and John E. Pleisse as hearing officers.

During discussion the Commissioners discussed whether it was necessary to specifically name the sheriff's deputies in the Resolution in that it would make it restrictive. Other issues discussed included taking deputies off the road and using a security firm contract. Mr. Densford explained that these two individuals were chosen because of their aeronautical background. Mr. Cox pointed out that the assignment of the deputies was to be done on a three-month's trial basis only on weekends, after which it would be evaluated to determine whether to continue.

**After discussion Commissioner Brugman moved, seconded by Commissioner Chesser, to amend the Resolution indicating that it will be done for a 90-day period (after which it will be reevaluated), to remove the specific names of the deputies who will be policing the airport, and to add the words "sheriff's deputies as designated by the Sheriff." Motion carried.**

5) **Budget Amendment No. 95-19**  
**Social Services**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance with the following justification: To provide funding for burial assistance (\$650).

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

6) **Maryland Historical Trust Grant Application**  
**Sotterley Mansion Foundation**

The County Administrator presented correspondence addressed to Maryland Historical Trust expressing support of the Sotterley Mansion Foundation's request for grant funding for the restoration of the Sotterley Slave Quarters.

**Commissioner Jarboe moved, seconded by Commissioner Brugman, to sign and forward the letter to Maryland Historical Trust as presented. Motion carried.**

7) **Personnel**

The County Administrator presented the following Personnel items for the Commissioners' review and consideration:

**State's Attorney's Office**  
**Reclassification Request**

Memorandum dated January 17 from the Personnel Officer advising that the State's Attorney has requested the reclassification of the vacant Clerk Receptionist II, Grade 11 position be changed to a Secretary III/Typing, Grade 13 position.

**Commissioner Chesser moved, seconded by Commissioner Brugman, to approve the reclassification as requested. Motion carried four to one with Commissioner Eagan voting against.**

**Request for Waiver of Personnel Policies and Procedures**  
**Treasurer's Office/Finance Office**

Memorandum dated January 17 from the Personnel Officer requesting a waiver of the Personnel Policies and Procedures, Chapter 12, Paragraph 1219(b)(1) which states that when an employee receives a demotion at his/her own request the "rate of pay will be adjusted to the closest step within the lower grade that will provide at least a six percent (6%) reduction in pay." The memoranda states that the Treasurer has selected Joanne Yates to the Tax Clerk I position at a Grade 13, Step 8 and her current position as a Fiscal Clerk II in the Finance Office is a Grade 14, Step 8. In this case "at least six percent" would result in Ms. Yates being changed to a Grade 13, Step 7 (a 9.1% reduction). Assignment to Grade 13, Step 8 would be within \$303 of the required six percent reduction (4.9%)

**Commissioner Brugman moved, seconded by Commissioner Jarboe, to approve the waiver of the Personnel Policies and Procedures as requested. Motion carried.**

**Order of Satisfaction**  
**Discrimination Suit**

The County Administrator advised that an individual sued the County for sexual discrimination a number of years' ago and the Judge found against her and awarded damages to the County for the cost to the County for defending itself. The individual has made the last payment satisfying those damages and the Order of Satisfaction has been prepared for the President of the Board's signature.

**Commissioner Brugman moved, seconded by Commissioner Chesser, to authorize Commissioner Thompson to sign the Order of Satisfaction as presented. Motion carried.**

**8) Response Letter**  
**Open Meetings Act**

The County Administrator presented a response to January 17 correspondence from Louis C. Dunn, Jr. regarding the Open Meetings Act legislative proposal. The letter indicates that the Commissioners have reviewed the legislative items and encloses the Commissioners' position sheet on the proposals.

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

**9) Board of Education**  
**Grant Award**

The County Administrator advised that correspondence dated January 12, 1995 was received from the Superintendent of Schools advising that a grant award in the amount of \$4,000 for Youth Suicide Prevention had been received which had not been included in the Approved Operating budget for Fiscal Year 1995. The letter requests permission to incorporate this grant award into the '95 budget.

Therefore, County Administrator Cox presented return correspondence approving the inclusion of the grant awards into the Fiscal Year 1995 budget.

The Commissioners deferred a decision until they received information about this grant.

10) **Budget Amendment No. 95-18**  
**Sandgates Road Bridge**

The County Administrator presented the referenced Budget Amendment recommended for approval by the Director of Finance in the amount of \$105,000 with the following justification: To provide additional funds required for the award of the Sandgates Bridge replacement including funds for Guardrail on the bridge and other contingencies. County Administrator Cox explained that \$72,000 had been funded in Fiscal Year 1995 for the bridge replacement; however, because the underlying supports also needed replacing, additional funds were required. The project has been designed, placed out on bids, and bids awarded.

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

**DEPARTMENT OF PLANNING AND ZONING**  
**PUBLIC HEARING**  
**COMPREHENSIVE WATER AND SEWER PLAN**

Present: Jon Grimm, Director, DPZ  
Jeffrey Jackman, Senior Planner  
Peggy Childs, Recording Secretary  
Ray Anderson, of the Water Resources Division, MDE  
Larry Petty, Director, MetComm  
Steve King, Deputy Director MetComm.

**PUBLIC HEARINGS - CWSP BIENNIAL REVIEW**

**CWSP #89-1441 - BAY FOREST SUBDIVISION**

Requesting service area category change from NPS (no planned service) to S-3D (service provided by developer within 3-5 years) for 15 lots of record, zoned RPD (LDA Overlay), on Bay Forest Road in Dameron; TM 64; Block 2, Parcel 37.

**CWSP #89-1310 - BACON SUBDIVISION**

Requesting service area category change from NPS to S-1 to correct a mapping error by staff and allow service to one dwelling unit currently served by sewer and one additional dwelling unit; TM 59, Parcel 329.

**TEXT AMENDMENTS FOR THE BIENNIAL REVIEW**

This public hearing has been advertised as required by law and both properties were posted by staff. Mr. Grimm presented background information regarding the water/sewer process and the staff analysis as for both projects as required by the Annotated Code of Maryland, per House Bill 601.

Regarding Bay Forest Subdivision, the analysis finds the request contrary to the CWSP and the Comprehensive Plan, which prohibits extending public sewer into the RPD unless it is to correct an existing health hazard or environmental threat. Also involved is the Bay Interceptor Sewer Policy, which provides that only properties abutting the sewer line may be connected. Although lots of record, the lots are vacant and are located some 3 miles from the sewer line. Staff recommends denial.

The Planning Commission held a public hearing in November following which they voted unanimously to recommend denial of the request on the basis that the proposal violates both the Comprehensive Plan and Bay Interceptor Sewer Policy. As a result of the Planning Commission's discussion, a comprehensive review of water and sewer planning issues for the rural district has been added to the Commission's 1995 planning calendar, and in particular to look at this subdivision to see whether it constitutes a significant "problem area" which should have some kind of public sewer provision to address environmental situations or health hazards associated with failing septic systems.

On December 13, 1994 a letter was received from Larry Day proposing to modify the applicant's request to size and install the line at the developer's expense to accommodate other properties within Bay Forest Subdivision, including those with failing systems. Mr. Grimm stated, unless the Commissioners find that letter significant in its scope, the application should move forward as initially submitted.

Regarding Bacon Subdivision, the subdivision is shown on our sewer maps as "no planned service." In reviewing the request, staff believes we made a mapping error in not including the property in the S-1 service area. The property is a parcel of record which abuts the Bay Interceptor sewer line, and has current service to an existing dwelling. Had the property been mapped correctly, the request for service to a second dwelling unit could have been approved in-house. Staff and the Planning Commission recommend approval on that basis of mistake.

Page 4 of staff's analysis contains a text amendment to include Bay Forest Subdivision, if approved by the Commissioners, as well text amendments for the Biennial Review.

Commissioner Eagan asked if there was a precedent where extending service into the RPD had been done for some other applicant? Mr. Grimm said there were precedents under previous regulations for some properties, including Wicomico Shores and St. Clements Shores, but he does not believe there have been any approvals for sewer service to a rural district since the 1992 update of the CWSP unless a failing system was involved.

Commissioner Eagan asked if Bay Forest could be developed with septic systems or whether the property owner will be paying taxes on property he can't do anything with?

Larry Day, of Larry Day Surveying, Engineering, and Land Planning, Agent for Applicant Norris Pyles, responded that Bay Forest is an existing subdivision on the Chesapeake Bay recorded in 1953. There are existing houses on some of the lots and it is not that the 15 remaining lots will not perc but they have an extremely high water table. When the subdivision was recorded in 1953, the zoning was R-1, or one dwelling unit per acre. In 1988 the density was changed to 1 in 3; therefore the capacity of the Bay Interceptor Sewer was increased.

Mr. Day said they feel that even the most isolated property should have sewer if the developer is willing to spend the money, because it is much better for the public safety, health and well-being to have a central sewer system for two reasons: one is because of the health hazard; the other is that central sewer systems disturbs much less of the environment than conventional septic systems and drain fields. The developer is willing to pay for the additional sizing of the line to accommodate any of the lots in the subdivision with a failing system. The Health Department looked at the lots and found a couple of systems that were in a failing process but it was felt there might be more during the wet months. Also, the applicant is willing to accommodate the 1100 acres of the Elms Property, including the Elms Public Beach which would allow them to construct "comfort stations" instead of using portable toilets.

Parcels A and B of the subdivision are wetlands, with the exception of one area at the top of Parcel A, which could accommodate 7 lots. Applicant looked at running a force main through the wetlands to that area with a central sewerage facility to accommodate those 7 lots, but that would involve more clearing and disturbance of the environment to get less lots.

Mr. Day said he agrees that the proposal is not consistent with the Comprehensive Plan - that's not a question; they just feel that it's much better to have central sewer if the developer is willing to pay the money. The lots are owned by the Norris Pyles Limited Partnership.

Commissioner Thompson said this request was denied by the last Board of County Commissioners and asked what is different in this request? Mr. Day responded that it was not denied as much as the fact that they were asked to change some things. He said in response they had not change the application but had hired Consultant Kevin Kelly, of Annapolis, to do an environmental study, and he had really looked at the environmental issues.

Commissioner Thompson stated the dilemma is that the request does not conform to the Comprehensive Plan and, if the Commissioners approved this, they would be setting a precedent. Mr. Day advised that Mr. Pyles would pay for the sewer line and turn it over to the Metropolitan Commission. Mr. King, of MetComm, stated there would be no debt service on this property; the operation and maintenance costs would be spread out among the people of St. Mary's County. Commissioner Eagan asked how many other properties the line would pass in front of, so those people could connect? Mr. Petty, of MetComm, replied that would depend on how it is sized and how it is restricted. Mr. Day said their intent is to size the line for their 15 lots, plus the existing lots in the Bay Forest Subdivision, and the Elms Property; no other density is being asked for and there are no plans to develop the rest of the property.

Commissioner Thompson opened the hearing to public comment.

Mrs. Shelby Guazzo, a member of the Planning Commission, stated when the Commission looked at the proposal, both this November and last November, they found that the proposal basically had not changed in the intervening 12 months.

When exceptions are requested from, in this case, three stated County policies, the Commission looks to see whether there is a hardship involved with the owner. In this case, the current owner purchased the property after the 1988 Comprehensive Plan was in effect and, of course, wishes to maximize his investment. Pyles Enterprises is a well-known speculator both in this county and in Kent County, Maryland, and the Commission believed this was not a hardship to the landowner.

Mrs. Guazzo said if you look at the developed lots in this subdivision, their seawall is about 50 ft. seaward of the erosion line that fronts the unimproved lots on either side, and she is concerned about the amount of erosion. The 13 improved lots which are not a part of this application are not all occupied year-round, and if in fact there are sewer problems on these lots the Commission received testimony from the Health Department that a sewer line is not the only option available to these landowners should they have identified failing septic systems in the future. This was another consideration to the Planning Commission; that this proposal is not the end-all solution to a future problem that might exist.

Mr. Day made a further statement on the developer's behalf, saying he has obtained prices for seawall and rip-rap and is willing to take care of the erosion problem, because since 1953 there has been quite a bit of erosion there. Regarding alternate methods that might be proffered, he said there are some methods with sand filters and innovative designs that could take care of some of the platted lots, but the erosion that has taken place and the Critical Area 100 ft. setback makes it so restrictive that it is difficult to build a decent sized house.

Commissioner Chesser stated what Mr. Day is saying is that those lots are no longer an acre; some of them are much less.

There being no further questions or comments, the public hearing was closed. Commissioner Thompson announced the record would remain open for 10 days for additional written comment, following which staff will bring the applications back for further discussion or decision.

#### **SPACE NEEDS STUDY TASK FORCE**

Present: Ford Dean, Chair, Space Needs Task Force  
Judge John Hanson Briscoe  
Judge Marvin Kaminetz  
Walter Dorsey, State's Attorney  
Philip R. Cooper  
James M. McKay  
Dan Ichniowski, Director, Department of Public Works  
Representatives of Probst-Mason, Inc., Architects (consulting firm)  
George Dyson, Court Consultant

The referenced individuals appeared before the Commissioners to brief the Board on the June 14, 1994 Space Needs Study. Mr. Ichniowski provided background of the 1988 and 1994 studies, the appointment of the Task Force and requested decisions by the Commissioners relative to the Space Needs Plan and funding.

Mr. Dean explained the charge of the Task Force was to assess the office space needs of governmental agencies for which the county is obligated to provide office space and to recommend space needs plans (five year and ten year) and a funding schedule to meet those needs. Mr. Dean explained the Task Force's process beginning with review and analysis of information gathered by the consultant which consisted of assessment of current space, projections of growth population, projected staffing changes and projected space needs. He pointed out that with applying standard norms the County is 34,000 square feet short of adequate office space. The County currently owns/rents 184,000 square feet and the current requirement is 218,000 s.f.; the five year plan requirement is 252,000 s.f.; and the ten-year plan requirement is 275,000 s.f.

During his presentation Mr. Dean indicated that the Task Force deliberated on six alternative plans to provide for current and future space needs, however, the report focused on the alternative recommended by the Task Force. Recommendations are as follows:

- o An addition to the Carter State Office Building to house the Circuit Court, Clerk of the Court, Register of Wills, and State's Attorney. A new building would be constructed at the Governmental Center for the Sheriff's Office. This would consolidate court-related and law enforcement functions at one location.
- o Two alternatives for utilization of the vacated court house and sheriff's department building: (1) House the Board of Education central office staff or (2) house several smaller agencies. Maximizing the number of personnel at the Courthouse is an important consideration to the vitality of downtown Leonardtown. In addition parking limitations at the Courthouse must also be taken into consideration.
- o If alternative (2) is selected, a new building would need to be constructed at the Governmental Center to house the Board of Education.
- o Cost to implement the recommended projects is estimated at \$23,000,000 to be spread out over a number of years in the Capital Budget.

Judges Briscoe and Kaminetz spoke to the critical need for adequate office space for the judicial/court system and urged the Commissioners to go forward with this project.

During discussion of the space needs for the court system, the following areas were addressed: evening sessions for court and use of the future District Court room at the Carter State Office Building. The judges pointed out that although this could possibly provide temporary relief, it probably would not be feasible because of the impending third Circuit Court judge, staff requirements, support service requirements, and other needs.

In conclusion Mr. Ichniowski requested the Commissioners' consideration of the following:

- Concurrence in the Space Needs Task Force Report
- Establishment of a Building Committee (users)
- Establishment of a Task Force for use of the Courthouse
- Review of the Capital Budget Program in relation to this project

Prior to making a decision the Commissioners requested an opportunity to look at the plan documents and drawings.

**DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director

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

- 1) **Acceptance of Deeds  
Road Resolutions  
Resolution No. 95-04 - Pebble Beach Court**

**Laurel Ridge, Section 4B**

Deed dated December 19, 1991 between Israel Z. Swarey and Board of County Commissioners accepting Arlington Drive and Edison Court into the County's Highway Maintenance System.

Road Resolution No. R94-37 designating the following as Stop Streets:  
Arlington Drive at its intersection with Laurel Ridge Drive  
Edison Court at its intersection with Jennifer Drive

Road Resolution No. R94-38 posting Arlington Drive and Edison Court at 25 miles per hour.

**Avenmar Subdivision**

Deed dated December 20, 1991 between Avenmar Limited Partnership and Board of County Commissioners accepting Bretmar Drive, Bretmar Place, and Bretmar Court into the County's Highway Maintenance System.

Road Resolution No. R94-39 designating the following as Stop Streets:  
Bretmar Drive at its intersection with Knight Road  
Bretmar Place at its intersection with Bretmar Drive  
Bretmar Court at its intersection with Bretmar Drive

Road Resolution No. R94-40 posting Bretmar Drive, Bretmar Place, Bretmar Court at 25 miles per hour.

**Cook Hall Run**

Deed dated September 5, 1990 between Henry John Fowler, Jr. and Susan Patrice Fowler and Board of County Commissioners accepting Harrisburg Court into the County's Highway Maintenance System.

Road Resolution No. R94-41 posting Harrisburg Court at 25 miles per hour.

Road Resolution No. R94-42 designating Harrisburg Court as a Stop Street at its intersection with Old Route Five.

**Pebble Beach Court**

Deed dated March 25, 1993 between Cherry Cove Land Development Company, Inc. and Board of County Commissioners accepting Pebble Beach Court into the County's Highway Maintenance System.

Road Resolution No. R94-43 posting Pebble Beach Court at 25 miles per hour.

Road Resolution No. R94-44 designating Pebble Beach Court as a Stop Street at its intersection with Breton View Drive.

**Resolution No. 95-04**

**Breton Bay PUD (Pebble Beach Court)**

As a follow up to the presentation by Pebble Beach Court property owners, Mr. Ichniowski presented the referenced Resolution waiving the requirement for sidewalks along Pebble Beach Court in accordance with the property owners' petition and indicating that any future need for sidewalks shall not be at the County's expense. Lots affected by this Resolution are Lots 73 - 78 and Lot 80.

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign the referenced Deeds, Road Resolutions, and Resolution No. 95-04 as presented. Motion carried.**

During discussion Commissioner Eagan inquired as to the process for getting stop signs. She stated that she has received a number of calls from residents in Chestnut Ridge asking for four or three way stop signs. Mr. Ichniowski explained there were stop signs for streets entering the main road and that it was not a standard practice according to the national standards to install four-way signs because they are often ignored. Mrs. Eagan requested Mr. Ichniowski to look into having four-way stop signs installed at Chestnut Ridge.

2) **Public Works Agreement  
Addenda to Public Works Agreement**

**Wildewood - Sycamore Hollow, Phase II**

Public Works Agreement dated January 9, 1995 between Paragon Builders, Inc. and St. Mary's County, Maryland guaranteeing completion of Sycamore Hollow Drive by January 1, 1996. The Agreement is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$35,000.

**Lockes Hill Forest**

Addendum to Public Works Agreement between Glenn H. Larson and Board of County Commissioners for St. Mary's County extending the deadline for completion of improvements to June 1, 1995. The Addendum is backed by reduced Surety in the amount of \$10,000.

**Commissioner Eagan moved, seconded by Commissioner Jarboe, to approve and authorize Commissioner Thompson to sign. Motion carried.**

3) **Household Hazardous Waste Day**

Mr. Ichniowski advised that in the Fiscal Year 1995 budget, DPW requested \$120,000 for a Household Hazardous Waste Day; however, \$60,000 had been approved. The Hazardous Waste Day, which could be held in the Spring or Fall, would be a day where citizens could bring items such as varnish remover, solvents, insecticides, and herbicides. The benefits would be protection of the environment, and creating an awareness of what household hazardous waste is.

Mr. Ichniowski pointed out that the County's Commission on the Environment is supportive in this effort.

During his presentation, Mr. Ichniowski requested the Commissioners' consideration to approve an additional \$60,000 in the Fiscal Year 1996 and recommended that the project be awarded by the end of the current fiscal year.

Discussion ensued relative to the marketing side of recycling and the Recycling Coordinator position, and Mr. Ichniowski advised that an individual has been selected.

In conclusion the Commissioners indicated they would make a decision at a later meeting.

## **SOUTHERN MARYLAND NAVY ALLIANCE BRIEFING**

Present: J. Frank Raley, President  
Robert Weiland, Secretary  
Joseph Gough, Treasurer  
F. Elliott Burch, Jr.  
Aleck Loker  
John Paradis  
Richard Wilson

The referenced individuals appeared before the Commissioners to present a briefing relative to the activities of the Southern Maryland Navy Alliance, which has founded in September 1992 in response to threatened closure of NESEA in the Base Realignment and Closure (BRAC) Commission's recommendations in 1993. Mr. Raley provided the Commissioners with background regarding the Alliance's efforts and activities relative to the preservation and enhancement of the county's military economic base.

Mr. Weiland distributed and reviewed a handout setting forth the Alliance's purpose; membership; funding sources (private sector, and county) from Fiscal Year 1993 through Fiscal Year 1995; major achievements; vision (including to position Patuxent River as a national asset); strategy; 1994-95 agenda; listing of BRAC Commissioners, media coverage; and BRAC '95 activities (briefings)

During the presentation Senator Raley informed the Commissioners that there is some threat to the test pilot school at Pax River, that there is an effort to put all test pilot schools at Edwards Air Force Base.

In closing Senator Raley advised that the Alliance will keep the Commissioners informed relative to BRAC '95 issues.

## **BUILDING AUTHORITY COMMISSION 1994 ANNUAL REPORT**

Present: Charles Wade, Director of Finance, Chair  
Edward V. Cox, County Administrator, Secretary  
Jon Grimm, Director, DPZ, Member  
Dan Ichniowski, Director, DPW, "

The referenced individuals appeared before the Commissioners to present the Building Authority Commission's 1994 Annual Report. Mr. Wade reviewed the establishment of the Commission in 1983, its purpose, significant activities (including the St. Mary's Nursing Center expansion project, and refunding of the State Multi-Service Center)

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

## **COMMISSION ON AGING 1994 ANNUAL REPORT**

Present: Vivian Betton, Chair  
Viola Gardner  
Thomas Clay

The referenced individuals appeared before the Commissioners to present the Commission on Aging's 1994 Annual Report. Mrs. Betton reviewed the Commission's purpose, significant activities (including planning and sponsoring of the Chancellor's Run Senior Center, attendance at Mini-White House Conference on Aging in Baltimore, assisting with OOA programs), challenges for 1995 (including the need for development of community based programs which would enable many seniors to remain in their homes); and programs for 1995

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

**COMMISSION ON THE ENVIRONMENT  
1994 ANNUAL REPORT**

Present: Larry Pinto, Chair  
Anthony Pitt  
Mervyn E. Hampton

The referenced individuals appeared before the Commissioners to present the Commission on Environment's 1994 Annual Report. Mr. Pinto reviewed the Commission's purpose, stating that the Commission was established in 1993 by Resolution No. 93-46; significant activities (including the development of goals and objectives, review of Comprehensive Plan issues, research of proposed Timber Lakes Subdivision, review of Solid Waste Management Plan, recommended a Hazardous Waste Day, review of MDE Compost Regulations), challenges for 1995 (including unclear lines of authority on environmental issues, COE's comments on the Solid Waste Plan were not addressed, inadequate time for certain environmental reviews); and plans for 1995 (including review of municipal solid waste compost, review of county policy on PUD's, development of an inventory of significant and sensitive habitat areas in the County).

During discussion the Commissioners advised that they had requested from MDE the recall of the county's Solid Waste Management Plan for further review and invited the Commission on Environment's participation in the review.

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

**PROCUREMENT BRIEFING**

Present: Charles Wade, Director of Finance  
James Haley, Procurement Officer

Messrs. Wade and Haley appeared before the Commissioners to present a briefing on the County's procurement system. Mr. Haley advised by Resolution No. 87-16 the Commissioners officially adopted new procurement procedures and hired a Procurement Officer in November 1987. Mr. Haley distributed a handout setting forth the objectives of the procurement system, organizational chart, the procurement cycle, small purchase and large purchase flow charts, procurement office's responsibilities, quotation and bidding process, sealed bid and negotiated awards, emergency procurement, sole source procurement, contract procedures, quantity and term contracts, cooperative contracts (gasoline, diesel fuel, fuel oil, copy and computer paper); privatized services (custodial, detention center food, "meals on wheels" grounds maintenance) budget expenditures, savings achieved, and accomplishments.

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

**COUNTY COMMISSIONERS' TIME**

**Maryland Association of Counties**

Commissioner Chesser advised that he attended the first MACo meeting on January 11. He stated there was discussion regarding proposed legislation to allow the 911 tax to be included for cellular telephones.

**Tri-County Council Meeting**

Commissioner Eagan advised that she attended the Tri-County Council Executive Board meeting on January 16 and stated that she provided each Commissioner with information including the TCC budget, Mass Transportation Study, BRAC activities, telecommuting center, Southern Maryland Information Network/Sailor, etc.

**Patuxent River Commission Meeting**

Commissioner Jarboe advised that he attended the Patuxent River Commission meeting during which there was discussion of constructing sewage treatment plants away from the rivers. Calvert County is now putting them where natural filtration (trees) exist.

**Procurement Process for Advertisements in Local Newspapers**

Commissioner Jarboe requested information as to the County's procurement process for advertising in local newspapers.

**Oversight Committee (Streamlining Process)**

Commissioner Thompson inquired as to the status of the establishment of the Committee relative to the county's streamlining efforts.

**Chamber of Commerce - State of the County Lunch**

Commissioner Thompson reported that she will be making a presentation on the State of the County at the Chamber of Commerce Lunch on January 19 and invited the Commissioners to make comments at the meeting.

**EXECUTIVE SESSIONS**

Commissioner Eagan moved, seconded by Commissioner Chessser, to meet in Executive Session to discuss matters of Personnel (consideration of appointments to boards, committees, and commissions) as provided for in Article 24, Section 4-210(a)1 and Property Acquisition, as provided in Article 24, Section 4-210(a)11. Motion carried three to two with Commissioners Brugman and Jarboe voting against.

**Personnel**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chessser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)1  
Time Held: 3:52 p.m. - 4:15 p.m.

Action Taken: The Commissioners reviewed the current status sheet, made nominations, directed staff to contact nominees, and to prepare correspondence for the Commissioners' signatures for a later meeting.

**Property Acquisition**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chessser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

Authority: Article 24, Section 4-210(a)11  
Time Held: 4:15 p.m. - 4:30 p.m.

Action Taken: The County Administrator presented correspondence relative to a land acquisition proposal and received direction from the Commissioners as to how to proceed.

**ADJOURNMENT**

The meeting adjourned at 4:30 p.m.

**Minutes Approved by Board of  
County Commissioners on 1/24/95**

Judith A. Spalding  
**Recording Secretary**