

**ST. MARY'S COUNTY  
BOARD OF COUNTY COMMISSIONERS  
NOVEMBER 26, 1996**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Mary M. Langley, Recorder

**CALL TO ORDER**

The meeting was called to order at 1:05 p.m.

**APPROVAL OF MINUTES**

Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve the minutes of November 19, 1996, including the Lexington Park-Tulagi Place Master Plan work session, as submitted. Motion carried.

**APPROVAL OF BILLS**

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

**ADDITIONS/DELETIONS TO AGENDA**

Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve the Agenda as presented. Motion carried.

**CONSENT AGENDA**

The Consent Agenda included the following correspondence:

- a. Letters of appreciation to participants in Community Service Day on October 26;
- b. to Vice President of the Potomac River Association regarding local sign regulation recommendations;
- c. to Ms. Page concerning her suggestion for improving county vehicle safety;
- d. to Mr. Burk regarding curfew suggestions and owner's application to DPZ for conditional use.

**Commissioner Brugman moved, seconded by Commissioner Eagan, to approve the Consent Agenda as presented. Motion carried.**

**COUNTY ADMINISTRATOR ITEMS**

Present: John J. Kachmar, County Administrator

1. **St. Mary's Public Schools -- Pre-K Classroom Additions (four schools)**

- a. **Budget Amendment No. 97-19 (\$8,000)**  
(To provide additional funds to replace contingency funds for the additions due to unsuitable soil conditions and limited contingency funds from the beginning of the project.)

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-19 as presented. Motion carried.**

b. **Resolution No. 96-36**

(Supplementing Resolution authorizing the issuance of general obligation bonds by allowing the use of \$8,000 of the proceeds of the bond issue for the Pre-K classroom addition project.)

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and sign the Resolution supplementing Resolution 95-09 of February 21, 1995 authorizing the issuance of general obligation bonds, as presented. Motion carried.**

2. **Budget Amendment No. 97-22 -- Department of Recreation and Parks**

(To transfer funds to the Regional Park account for construction of accessible walkways around the athletic complex -- \$10,000.)

**Commissioner Jarboe moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign Budget Amendment No. 97-22 as presented. Motion carried.**

3 **Grant Documents**

a. **Office of Community Services/Alliance for Alcohol Drug Abuse Prevention**

Grant Application to the Maryland State Arts Council for \$60,000 for the Summer of Safety Arts Camps activity to help fund five six-week camps during March - November 1997 that are run in conjunction with the Department of Recreation and Parks. If successful, this will be the third year that the grant has assisted in funding this activity.

**Commissioner Chesser moved, seconded by Commissioner Brugman, to approve the grant application and to authorize Cynthia A. Brown, Director of the Office of Community Services, to sign and forward the application as presented. Motion carried.**

b. **St. Mary's County Housing Authority**

Grant Application to the Maryland Department of Housing and Community Development for funding in the amount of \$53,210 under the 1997 Rental Allowance Program (RAP). Funding under this program has been administered by the Housing Authority since 1987. Outreach and support services are supplied by a local network of social services and community organizations.

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

c. **Department of Economic and Community Development**

Grant Agreement with the United States Department of Housing and Urban Development (HUD) for funding in the amount of \$24,500 under the Emergency Shelter Grants program. The funding will support homelessness prevention by the St. Mary's County Department of Social Services (\$12,500) and provide operating funds for the Three Oaks Homeless Shelter, Inc. (\$12,500).

**Commissioner Eagan moved, seconded by Commissioner Chesser, to approve and authorize Commissioner Thompson to sign the Emergency Shelter Grant Agreement as presented. Motion carried.**

**4. Metropolitan Commission - Maryland Geological Survey**

Consideration of request dated October 7, 1996 from the Maryland Geological Survey (MGS), forwarded by the Metropolitan Commission, concerning maintenance of the observation-well network in St. Mary's County during Fiscal Year 1998. MGS requested that St. Mary's County share in the funding the ongoing groundwater monitoring effort (50% federal, 25% state, 25% county), for an approximate county cost of \$2,815. MGS also requested that funding consideration for a ground subsidence study be agreed to in principle, with the exact funding amount to be identified at a later time (about \$8,500 in county match or \$4,250 if both St. Mary's & Calvert Counties participated).

**Commissioner Chesser moved, seconded by Commissioner Jarboe, to approve funding of the ongoing groundwater monitoring effort in FY98 and to direct the Director of Finance to include funding of approximately \$2,815 in the budget for that purpose. During discussion the Commissioners concurred with the aquifer compaction model study in principle and will consider a funding request when costs have been identified. Motion carried.**

**5. Analysis of County's Boards and Commissions -- Institute of Governmental Service**

Following recommendations of the Efficiency Task Force that the county re-focus local boards and commissions, an inquiry was sent to the University of Maryland's Institute for Governmental Service concerning its interest in following up the original study it prepared approximately ten years ago. The Institute agreed to assist for a fee of \$2,000 plus expenses.

**The Commissioners gave their concurrence to engage the Institute of Governmental Service in this review and directed the County Administrator to move forward with this project.**

**PUBLIC HEARING -- SHANNON FARMS (TEXT AMENDMENT)**

All Commissioners were present as was County Administrator John Kachmar. DPZ staff present were Jon Grimm, Director; and Peggy Childs, Recording Secretary.

**PUBLIC HEARING**

Prior to commencement of the public hearing, the Commissioners made some follow-up motions to the Executive Session held during the afternoon. The motions were as follows:

**Commissioner Jarboe moved that the County Commissioners recognize that the full-time plumbing inspector has been selected as a Reduction-In-Force, the plumbing duties being contracted out beginning January 1, 1997. The motion was seconded by Commissioner Brugman. Motion carried by vote of 4-1. Commissioner Chesser voted against.**

**Commissioner Jarboe moved that the County Commissioners recognize publicly that, according to Paragraph 26.07 of the Personnel Manual, the County Commissioners have reviewed the notification letter informing the affected individual of the deletion of this position. Commissioner Brugman seconded. Motion carried by a vote of 4-1. Commissioner Chesser voted against.**

**CDSP #95A-0584 - SHANNON FARMS TEXT AMENDMENT**

Proposed text amendment to Section 38.02.3.f of the Zoning Ordinance (County Critical Area Program) to enable the continued "grandfathered" status of this PUD. The property contains 236 acres, is zoned PUD 3.0 (Partial RCA Overlay), and is located off of Hermanville Road on Long Lane, south of Cedar Cove; Tax Map 52, Block 4, Parcel 8.

Owner: Millison Development

Present: Donnie Ocker, of NGO Engineering, Inc., Agent  
Mary Owens, of the Critical Area Commission staff

Legal Ad published in The Enterprise on 11/8/96 & 11/15/96.

Mr. Grimm explained that this PUD is going through a major amendment process, in which changes to the original conditions were approved by the County Commissioners on October 27, 1996. The text amendment is required to the language of Section 38.02.3.f to allow the project to continue to be grandfathered under the Critical Area Program and has been reviewed and recommended by staff, the Planning Commission, and the Critical Area Commission. Mary Owens, of the Critical Area Commission staff, drafted the proposed text amendment and was present to support it.

Commissioner Thompson opened the hearing to public comment. No comments were offered. The public hearing was closed, with the record being held open for 10 days for written comment.

**Staff was directed to come back for a decision in two weeks.**

**7:00 p.m.**

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#### **COUNTY COMMISSIONERS' TIME**

Commissioner Chesser stated that the Department of Natural Resources is withdrawing from the Derelict Boat Program. While approximately \$25,000 has been allocated in the past to various counties for removal of derelict boats, St. Mary's County has not received funds under this program. He advised that the county has a number of abandoned boats that need to be removed, and that he is endeavoring to prod the state to take action.

#### **EXECUTIVE SESSION**

**Commissioner Chesser moved, seconded by Commissioner Eagan, to meet in Executive Session to discuss a matter of personnel related to the Department of Recreation and Parks as provided for in Article 24, Section 4-201(a)1. Motion carried.**

#### **Personnel (Recreation & Parks):**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Steven E. Welkos, Finance Director  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 2:03 p.m. - 2:20 p.m.

Action Taken: The County Administrator and Finance Director discussed a personnel issue. Due to time constraints, the Commissioners agreed to continue the review of the matter later in the meeting during their next Executive Session.

#### **PUBLIC HEARING -- FY97 SUPPLEMENTAL APPROPRIATION**

Staff Present: Steve Welkos, Director of Finance  
Susan G. Wilkinson, representing Dept. of Economic & Community Dev.

Time Held: 2:21 p.m. - 2:30 p.m.

Mr. Welkos advised that the purpose of the Public Hearing is to consider a supplemental appropriation of \$75,000 in federal grant funds to the Department of Economic and Development for St. Mary's County for the purpose of preparing a defense conversion economic adjustment strategy for St. Mary's County. This phase will consider activities to build a broad-based private industrial sector and diversify markets for local facilities, technology and associated workers' skills to include other military as well as commercial customers. A Notice of Public Hearing has been duly advertised in the Enterprise.

Ms. Wilkinson indicated that with the influx of additional military jobs to the county, the county's economy will become even more dependent on the defense industry, therefore the strategy serves as a preventative measure.

Commissioner Thompson opened the floor for public comments. There being none, the hearing was declared closed. The record will remain open for 10 days during which time written comments will be accepted.

#### **DEPARTMENT OF PUBLIC WORKS**

Present: Dan Ichniowski, Director of Public Works

##### **Board of Education Facilities**

Mr. Ichniowski reviewed various alternatives associated with providing non-deficient facilities for the Board of Education. He provided an analysis of costs associated with improving the current facility (Building #4 at Governmental Complex in Leonardtown), and for renovating and enlarging the recently vacated Hollywood Elementary School to house the Board of Education offices. While the option of the Hollywood School renovation is more economical, both annual costs are close (\$154,820 for Hollywood School compared to \$158,114 for renovation of current facility).

The Commissioners asked Mr. Ichniowski to look into the option of providing prefabricated modular buildings on the site for the Board of Education as well as for an additional meeting space for the county. The Commissioners also requested information on how the various options will impact the capital budget over and above what they are already committed to. Mr. Ichniowski will ask Mr. Welkos to assist him, and they will report back to the Commissioners in two weeks.

##### **Department of Transportation Correspondence (Project Priorities)**

As a follow up to the state's presentation on October 31 explaining the state's transportation program and proposed infrastructure projects, Mr. Ichniowski presented a letter drafted to the Secretary Winstead of the Maryland Department of Transportation. The letter listed MD State Route 235/FDR Boulevard, MD Route 237 (Chancellor's Run Road), and MD Route 5 from Camp Brown Road to Point Lookout as projects critical to providing service for the Naval Air Station, its employees and the citizens of St. Mary's County. It also requested that the state consider looking into the traffic volumes and growth in the northern portion of the county.

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

**Deed — Indian Bridge Road**

Mr. Ichniowski explained that the Maple Run Development project originally deeded a 30-foot right-of-way strip to the county along Indian Bridge Road; however 40 feet is required. The deed presented will provide the additional 10 foot strip required.

**Commissioner Chessser moved, seconded by Commissioner Jarboe, to authorize Commissioner President to sign the deed as presented. Motion carried.**

**Southern Maryland Wood Treatment Plant Task Force Status Report**

Chair Ralph Guenther presented an update of the Southern Maryland Wood Treatment Plant cleanup. He reported that planning for the cleanup has been progressing with only minor delays but funding for the cleanup is once more in jeopardy. Concerns expressed included those related to EPA's proposed demolition of the existing water treatment plant and the final disposition or use of the site after the cleanup has been completed. The report recommended that the Commissioners involve our federal level politicians to assure that concerns are addressed. In accordance with the recommendation, correspondence addressed to our legislators was presented for the Commissioners' consideration.

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

**EXECUTIVE SESSIONS**

**Commissioner Brugman moved, seconded by Commissioner Chessser, to meet in Executive Session to discuss matters of Personnel and to continue discussion on potential litigation, as provided for in Article 24, Section 4-210(a)1&8. Motion carried four to one with Commissioner Jarboe voting against.**

**Commissioner Eagan moved, seconded by Commissioner Chessser, to meet in Executive Session to discuss a matter of Personnel (Boards, Committees, Commissions), as provided for in Article 24, Section 4-210(a)1. Motion carried three-one-one, with Commissioner Jarboe voting against and Commissioner Brugman abstaining.**

**Personnel (Recreation and Parks) continued**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chessser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Doug Durkin, County Attorney  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 3:40 p.m. - 3:45 p.m.

Action Taken: The Commissioners continued a review of issues and gave direction to staff.

**Personnel (Planning & Zoning):**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Doug Durkin, County Attorney  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 3:45 p.m. - 4:13 p.m.

Action Taken: The Commissioners discussed issues and agreed to take action in open session.

**Potential Litigation:**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Doug Durkin, County Attorney  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)8  
Time Held: 4:13 p.m. - 4:55 p.m. and 5:18 p.m. - 5:30 p.m.

Action Taken: The County Attorney reviewed issues and received direction from the Commissioners.

**Personnel (Procurement)**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Steve Welkos, Director of Finance  
Jim Haley, Procurement Officer  
Doug Durkin, County Attorney  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 4:55 p.m. - 5:15 p.m.

Action Taken: The Commissioners reviewed an issue relative to procurement and gave direction to staff.

**Personnel (Boards, Committees, Commissions)**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe  
John J. Kachmar Jr., County Administrator  
Mary M. Langley, Recorder

Authority: Article 24, Section 4-210(a)1  
Time Held: 5:30 p.m. - 5:45 p.m.

Action Taken: The Commissioners discussed an issue relative to boards and committees and gave direction to staff.

**Personnel**

Present: Commissioner Barbara R. Thompson, President  
Commissioner D. Christian Brugman  
Commissioner Paul W. Chesser  
Commissioner Frances P. Eagan  
Commissioner Lawrence D. Jarboe

Authority: Article 24, Section 4-210(a)1  
Time Held: 5:45 p.m. - 6:00 p.m.

Action Taken: The Commissioners discussed an issue relative to staff.

**PUBLIC HEARING — ROAD NAME CHANGES**  
**ROAD NAME PETITIONS - 911 ADDRESSING SYSTEM**

Following the motions on the Executive Session, Commissioner Jarboe announced that he had another meeting to attend in Charlotte Hall, and left the meeting. Commissioners Thompson, Brugman, Eagan and Chesser remained. County Administrator John Kachmar was present. Also present was Paul E. Wible, Chairman of the 911 Addressing Task Force; Jeffrey Jackman, Principal Planner, DPZ; and Peggy Childs, DPZ Recording Secretary.

Commissioner Thompson opened the hearing and introduced Mr. Wible, stating he would read the public notice and then the hearing would be opened for public comment. Mr. Wible read the Notice of Public Hearing into the record, stating it was published on 11/6/96 and 11/13/96 and that twelve (12) road name petitions will be considered tonight. The petitions and subsequent public comments were as follows:

- (1) "Hicks Drive" to "Holly Oaks Drive." MD234 to dead end (ADC9D13).  
Five (5) property owners out of eight (8) have signed this petition.

Clara McCartney, of Hicks Drive (Route 2, Boz 121-1-A, Leonardtown), stated she and husband signed the petition but she now objects to the name change because it has taken so long. Ms. McCartney was very angry, stating the petition has been signed for a year-and-a-half and one of the signers of the petition has moved from the neighborhood. She said she prefers the new name but she and her husband withdrew their support, leaving 3 out of 7 property owners in support of the petition.

Roger Bussler, who lives on Hicks Drive but who had not signed the petition, agreed with Ms. McCartney.

Gary Varesko, who did sign the petition and still supports the name change, said it was Ms. McCartney's idea to change the name of the street. He said he was told that the road name would be changed but that it had to go to public hearing and he knew that when he got his address he had a year before he had to put it into effect. Every bill you pay has a change-of-address-card and Mr. Varesko said he sees no problem with changing the name of the road.



- (2) "Piney Point Beach" to "Poplar Street." Piney Point Shores Road to end of LB surface (ADC 28A5). Petition received from Shirley Rock with signatures from 16 of 31 landowners to change to Poplar Street. Petition received from Jennifer Putnam with signatures from 9 of 31 landowners to retain the old name.

Ms. Shirley Rock spoke in favor of the name change, stating the name was Poplar Street when she was growing up and that the name of Piney Point Beach Road is confusing when people come in from out of town because there is no beach there, and the majority of residents would like it changed back to the original name.

Elizabeth Edmonds, who said she was born and raised in Piney Point, agreed, stating the name has been changed about 4 times but all the other streets have been returned to their originally platted names except this one.

- (3) "Bradburn Hall Road" to "Holly Grove Farm Lane." Off of Harry James Road in Ridge (ADC 31A2). Petition signed by Frank and Susanna Wolf.

Susanna Wolf stated that she and her husband are the only property owners on this road; the name of Bradburn Hall Road was instigated by Mary Edna Smith, an outsider who has no real interest in this property. The Bradburns only rented the house from her in-laws for five years, whereas the Wolfs are the owners of the farm and lived there for 50-60 years. She and her husband request the road name be returned to Holly Grove Farm, the way it is in their deed.

- (4) "Tommy Combs Lane" to "Bay Brez (sic) Lane." Off of Newtowne Neck Road in Compton (ADC 15G4). Petition signed by 3 out of 5 landowners.

This road name, as proposed, is misspelled. Heidi Mueller, who originated the petition, said the reason she spelled "Brez" that way was to keep it short as simple; she has always done it that way.

- (5) "Waring Way" to "Oregon Way." Lord Calvert Trailer Park (ADC 18C13)

There as no one to comment on the request. Mr. Wible said when the trailer park was addressed Mr. Waring renamed all the streets. He believes some of the tenants asked Mr. Waring to make this change, and he agreed to it.

- (6) "Celestial Court" to "Flag Court." Church Drive to cul-d-sac (ADC 18C13). Petition signed by 4 out of 5 landowners. No public comments.

- (7) "Leone Drive" to "Stephenson Drive". Potomac Shores (ADC 23B9). Petition received from Anna T. Long with signatures from 8 out of 12 landowners.

Ms. Anna F. Long, who started the petition, said her family has owned property there since 1965. The road was originally called "Gosnell Road," and when she came out to a public hearing, Mr. Cooper told that the road would continue to be Gosnell; however, when they got their new addresses the road had been changed to "Lelone." Mr. Herbert Long said they don't like "Lelone" or "Leone," but they will take "Stephenson."

Commissioner Eagan commented she would like to know why they can't continue with "Gosnell."

- (8) "Golden Corral Drive" to "Corporate Drive." Off of Three Notch Road (ADC 18H8). Petition signed by Larry Millison, property owner.

The only comment was made by Rachelle Millison, representing her father, who asked that the Commissioners dispense with the 10 open comment period, stating she has a client who is ready to move into the building and he needs an address. The Commissioners responded they would look into this but they did not think they could do that.

- (9) "Kepple Lane" to "Lilypond Lane." Off Medleys Neck (ADC 16C11). Petition received from D. H. Dierks, landowner.

Mr. Dierks was present in support of the petition. No other comments were received.

- (10) "Long Drive" to "Deerhaven Lane." Off Benswood Road (ADC 17B5). Petition received from Harry E. Knight with signatures from 6 out of 10 landowners.

Mr. Knight advised that when he looked at a map, he does not live on Long Drive, but the neighborhood has banded together to form "Deerhaven Lane Association" and he would like to be incorporated into the Deerhaven Lane address. In addition, Mr. Knight said two of his near neighbors have the misfortune of living on "Deadbeat Alley," which was renamed through the recording of a record plat from "Watson's Way." These neighbors also request to be included on Deerhaven Lane. Mr. Knight said he would get the neighbors to contact the Commissioners regarding their request within the next 10 days.

- (11) "Max Way" to "Myrtle Way." Off of Myrtle Point Road (ADC 18A1). Petition received from Dale Rebarchick with signatures by 2 out of 3 landowners.

Mr. Rebarchick stated that they were not given a say when the road was named; someone else made the decision - in fact, the people named the road after themselves. Now they are requesting something more indigenous to the area. Also, Max Way has been used for another road just below them.

- (12) "Larsen Drive" to "Honey Tree Lane." Off of St. Andrews Church Road (ADC 16J6). Petition received from Linelle Russell with signatures from 4 of 5 landowners.

There were no comments on this name change.

Commissioner Thompson closed the public hearing at 7:55 p.m., announcing that the record would remain open for 10 days, with decision scheduled in two weeks.

Mr. Wible advised that the participants would receive a letter notifying them of the Commissioners' decisions. Other property owners on these roads will be notified by a change of address letter, when the road names have been changed.

#### ADJOURNMENT

The meeting was adjourned at 7:55 p.m.

Minutes Approved on 12/03/96  
by Board of St. Mary's County Commissioners

  
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Mary M. Langley, Recording Secretary