

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, February 14, 1989

Present: Commissioner Carl M. Loffler, Jr., President  
Commissioner W. Edward Bailey  
Commissioner Robert T. Jarboe  
Commissioner John G. Lancaster  
Commissioner Rodney Thompson  
Edward V. Cox, County Administrator  
Judith A. Spalding, Recording Secretary

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

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Bailey, to approve the minutes of the Commissioners' meeting of Tuesday, February 7, 1989. Motion carried.

APPROVAL OF BILLS

Commissioner Bailey moved, seconded by Commissioner Thompson, to approve payment of the bills as presented. Motion carried.

CHARLES COUNTY COMMUNITY COLLEGE JOB FAIR

Present: Barbara Hayden, CCCC

Ms. Hayden appeared before the Commissioners to apprise them of the Job Fair being conducted by the Charles County Community College. The target date for the fair, which is to be a tri-county project, is Thursday, April 27 from 12:00 Noon to 8:00 p.m. Ms. Hayden indicated that local businesses, government and the community are being urged to support the job fair.

The Commissioners expressed their support of the project and wished every success for the fair.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

- 1) APPROVAL OF BY-LAWS  
SOCIAL SERVICES BOARD  
ADULT PUBLIC GUARDIANSHIP REVIEW BOARD

The County Administrator presented correspondence addressed to the Social Services Board and to the Adult Public Guardianship Review Board indicating that the by-laws for these boards comply with the County Resolution No. 88-03 and therefore are formally approved by the Commissioners.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve the by-laws and forward the correspondence as presented. Motion carried.

- 2) RETIRED SENIOR VOLUNTEER PROGRAM GRANT AMENDMENT

The County Administrator presented the revised RSVP Grant requesting an extension of the grant year to June 30, 1989 in order to make the grant year of the project coincide with the County's fiscal year. The net effect will be a savings to the County of \$1700.

Commissioner Thompson moved, seconded by Commissioner Bailey, to approve the Revised RSVP Grant as presented. Motion carried.

2) LIBRARY BOARD OF TRUSTEES  
BY-LAWS

The County Administrator advised that correspondence dated December 21, 1988 was received from the Library Board of Trustees indicating that the Library Board had authority to amend the by-laws for the Board. Upon reviewing the law, the Library Board has permissive authority to amend the by-laws. Therefore, Mr. Cox presented correspondence for the Commissioners' signatures stating this fact and requesting that the Library Board of Trustees comply with with the County's process of revising by-laws.

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

3) LIVABILITY CODE BOARD OF APPEALS

The County Administrator reminded the Commissioners of previous discussion regarding the naming of the Zoning Board of Appeals as the Livability Code Board of Appeals and stated that formal action needs to be taken in this regard.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to designate the Zoning Board of Appeals as the Livability Code Board of Appeals. Motion carried.

4) TRI-COUNTY COMMUNITY ACTION COMMITTEE  
REQUEST FOR WAIVER OF IMPACT FEE

The County Administrator presented correspondence dated February 6, 1989 from Tri-County Community Action Committee, Inc. requesting a waiver of the impact fee for eight dwellings being constructed through the Self-Help Program. Mr. Cox recommended withhold a decision on the request at this time in order for staff to review the request and arrive at recommendations to relieve the problem rather than the fee. The Department of Economic and Community Development will return to the Board with recommendations how to handle requests for exemptions.

5) REQUEST TO REMOVE AND TRIM TREES-  
GODDARD FARM - SOUTH OF LEONARDTOWN

The County Administrator advised that Mr. Joseph Goddard has requested permission to remove and/or trim trees along Fairgrounds Road because of an ingress and egress problem. Mr. Cox recommended that the Department of Public Works and Commissioner Jarboe work with Mr. Goddard if the board approves this request.

After discussion the Commissioners gave their concurrence for Mr. Goddard to remove and/or trim trees as requested.

POINT LOOKOUT STATE PARK  
LANDFILL TIPPING FEE

Present: Dan Spedden, Assistant Park Manager

Mr. Spedden appeared before the Commissioners to request the Commissioners to grant Point Lookout State Park the 40% subsidy for the landfill tipping fee in that DNR believes that the \$18 commercial haulers fee is more appropriate for the Park rather than the \$30 institutional fee. During discussion Mr. Spedden enumerated DNR's contributions to St. Mary's County pointing out its participation in providing revenues. Mr. Spedden further requested that the County defer imposing this fee on Point Lookout until Fiscal Year 1990 in that funds had not been provided in the State's budget.

The County Administrator pointed out that Point Lookout is one of about 12 other institutional users that have the same set of circumstances, and the Department of Public Works is developing recommendations to bring before the Board.

Commissioner Loffler pointed out that the reason for the imposition of the tipping fee was due to additional costs created by federal regulation requirements at the county landfill.

In conclusion the Commissioners indicated their awareness of the DNR's contribution to the County and would respond at a later date regarding the referenced request.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) TALL TIMBERS/HERRING CREEK  
SHORE EROSION MITIGATION PROJECT

As a follow up to previous discussion on the referenced project, Mr. Ichniowski presented correspondence addressed to Congressman Dyson requesting assistance in obtaining reimbursement in the amount of \$4,981 for restoration of a parking lot of a local marina. The marina had been used as a staging area by the Corps of Engineers' contractor; however, the Corps has ruled that reimbursement was not appropriate.

Commissioner Lancaster moved, seconded by Commissioner Jarboe, to authorize Commissioner Loffler to sign the correspondence to Congressman Dyson as presented. Motion carried.

2) WETLANDS LICENSE  
DUKEHART'S CREEK DREDGING PROJECT

Mr. Ichniowski presented the Wetlands License for the dredging of Dukehart's Creek and stated that a tentative agreement had been reached with the property owner at the site and that the County would be responsible for any damage to the bulkhead at the dredging site. The Board of Public Works has approved the issuance of the license.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Wetlands License as presented. Motion carried.

3) EASEMENT AGREEMENT  
RAILROAD RIGHT-OF-WAY  
MARGARET H. GUY

Mr. Ichniowski presented an Easement Agreement by and between the Board of County Commissioners, Southern Maryland Electric Cooperative, and Margaret H. Guy for access across the railroad right-of-way in the vicinity of Baptist Church Road.

Commissioner Bailey moved, seconded by Commissioner Lancaster, to authorize Commissioner Loffler to sign the Easement Agreement as presented. Motion carried.

4) PUBLIC WORKS AGREEMENT  
PATUXENT PARK WEST (COLUMBIA COMMONS)

Mr. Ichniowski presented a Public Works Agreement dated January 31, 1989 by and between Liberty Land Development Corporation and St. Mary's County Maryland guaranteeing the completion of Pacific Drive and Columbus Drive in the Patuxent Park West (Columbia Commons) Subdivision by January 1, 1990. The Agreement is backed by a Letter of Credit in the amount of \$15,000 with.

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

5) SIGNALIZATION AT MD. RTS. 5 AND 6

Mr. Ichniowski brought to the Commissioners attention correspondence from the State Highway Administration regarding signalization at Md. Rts. 5 and 6. The State has conducted a traffic study and warrant analysis of the area which indicated that a signal was only required on the south bound on Rt. 5. SHA recommended that a flashing beacon be placed on the north and south bound lanes of Rts. 5 and 6. During discussion Mr. Ichniowski suggested that maybe a solution would be to relocate the intersection of Rt. 236 to Rt. 6 so that there would only be one traffic control.

After discussion the Commissioners directed Mr. Ichniowski to work with SHA to develop recommendations.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session in order to discuss a matter of Personnel. Motion carried. The Session was held from 10:20 a.m. to 10:40 a.m.

RESOLUTION NO. 89-07  
ST. MARY'S PRESS - MILA/SHELL BUILDING

Present: Joseph Mitchell, Director, Economic & Community Development  
Joseph Densford, Assistant County Attorney  
Stuart J. Stern, President, McGregor-Werner  
Brian T. Hessenauer, McGregor-Werner

(Commissioner Loffler left the meeting and did not participate in the discussion of this item.)

Mr. Mitchell presented to the Commissioners Resolution No. 89-07 authorizing the Board of County Commissioners to borrow from the Maryland Department of Economic and Employment Development funds not to exceed \$500,000 for an industrial shell building to be located on Lots 11 and 16, Section One, St. Mary's Industrial Park for St. Mary's Press and further authorizing the Vice-President to sign to execute documents necessary to consummate the loan.

After discussion Commissioner Thompson moved, seconded by Commissioner Bailey, to approve and sign Resolution No. 89-07 and further to authorize Commissioner Vice-President Lancaster, to sign the related documents as presented. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator  
Joseph Densford, Assistant County Attorney  
Alfred Gough, Jr., SMECO

Commissioner Thompson moved, seconded by Commissioner Lancaster, to meet in Executive Session to discuss a matter of litigation. Motion carried. The Session was held from 11:10 a.m. to 11:30 a.m.

PROCLAMATIONS

The Commissioners presented the following Proclamations:

HUMAN RELATIONS DAY

Present: Serita McFarling                      Tom Tokel  
Mary Novotny                                  Donald Barber  
Rev. Daugherty

Proclaiming February 25, 1989 as Human Relations Day in St. Mary's County.

VOCATIONAL EDUCATION WEEK

Present: Students from Chopticon High School

Proclaiming February 12-18, 1989 as Vocational Education Week in St. Mary's County.

NATIONAL ENGINEERS WEEK

Present: John B. Norris, Jr.  
Daniel Ichniowski  
Glenn G. Gass  
Robert Taylor

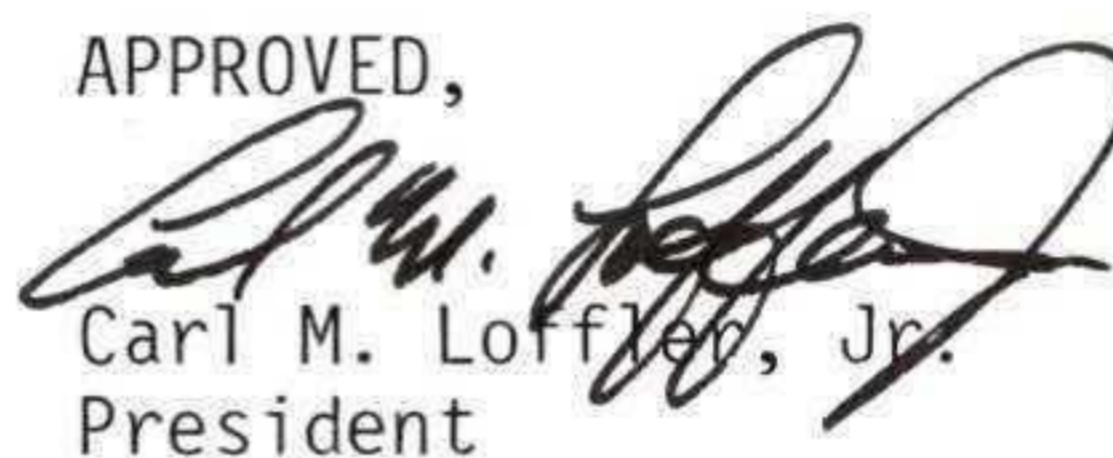
SIXTH DISTRICT TOUR

The Commissioners departed at 11:55 for a tour of the Sixth Election District.

ADJOURNMENT

The meeting adjourned at 11:55 a.m.

APPROVED,



Carl M. Loffler, Jr.  
President