

ST. MARY'S COUNTY
BOARD OF COUNTY COMMISSIONERS

Page

January 7, 1992

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

(Commissioner Bailey was not present due to a death in the family.)

CALL TO ORDER

The meeting was called to order at 9:10 a.m.

APPROVAL OF MINUTES

Commissioner Jarboe moved, seconded by Commissioner Thompson, to approve the minutes of the Commissioners' meeting of Tuesday, December 31, 1991 and the Planning and Zoning portion of the December 17, 1991 minutes. Motion carried.

COUNTY ADMINISTRATOR ITEMS

Present: Edward V. Cox, County Administrator

1) **APPOINTMENTS**
ST. CLEMENTS ISLAND POTOMAC RIVER MUSEUM

Commissioner Lancaster moved, seconded by Commissioner Thompson, and motion carried, to reappoint the following individuals to the St. Clements Island Potomac River Museum Board with terms to expire December 31, 1995: James M. Banagan and Mary Lillian Hewitt.

2) **CALVERT COUNTY FAMILY SUPPORT AND RESOURCE CENTER**

The County Administrator advised that Calvert County is applying for a grant for the establishment of a Family Support Resource Center for the prevention of alcohol and drug abuse. Calvert County is requesting St. Mary's County to serve as the comparison community for the project.

Therefore, County Administrator Cox presented correspondence addressed to the Calvert County Department of Community Resources consenting to the use of St. Mary's County as a comparison community for the five years of the program should the application be funded.

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

3) **SOUTHERN MARYLAND WOOD TREATMENT PLANT**
CONTAMINATED SOIL SAMPLES

The County Administrator presented correspondence addressed to Mr. Voltaggio of the Hazardous Waste Management Division of EPA pointing out there has been a long delay in providing a sample of contaminated soil to Waste Tech Services for test purposes and requesting his attention to this matter.

The Commissioners agreed to sign and forward the letter.

4) **SOUTHERN MARYLAND WOOD TREATMENT PLANT**
SUPERFUND CLEANUP

The County Administrator presented correspondence responding to Mr. Arnold Moreland's of December 27, 1991 regarding use of local workforce for the Superfund Clean Up Project at the Southern Maryland Wood Treatment site.

The letter indicates that the County is fully committed to supporting employment opportunities for our local workforce. The County Commissioners also forwarded correspondence to the EPA and the Army Corps of Engineers requesting use of local labor force.

The Commissioners agreed to sign and forward the letters.

5) **CABLE ADVISORY COMMITTEE**
JONES INTERCABLE AND SIMMONS CABLE FRANCHISE AGREEMENTS

The County Administrator presented correspondence addressed to the Cable Advisory Committee forwarding copies of the Commissioners' minutes of the

December 17 public hearing, December 31 Commissioners' meeting regarding the referenced franchise agreements, the December 27 letter and draft agreement from Simmons. The letter requests the Committee to review these documents and make revisions to the Agreements as deemed appropriate to be submitted to the Commissioners for approval.

The Commissioners agreed to sign and forward the letter.

6) MARYLAND SUMMIT ON THE COST AND FINANCING OF HEALTH CARE

The County Administrator presented correspondence from the Governor requesting a designee to participate in the Maryland Summit on the Cost and Financing of Health Care, which will be held January 10-11, 1992 in Annapolis. County Administrator Cox recommended the appointment of Dr. William Marek, Health Officer as the County's designee.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to appoint Dr. Marek as recommended. Motion carried.

7) FAMILY SELF-SUFFICIENCY APPLICATION

The County Administrator presented correspondence addressed to the U.S. Department of Housing and Urban Development endorsing the Application by the St. Mary's County Housing Authority for Family Self-Sufficiency Funding. The project, which would provide funds to assist 25 families, is a five-year renewable grant and requires no county funds.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to approve and sign the letter to HUD as presented. Motion carried.

8) PATUXENT RIVER DEMONSTRATION PROJECT DESIGNEE

As a follow up to last week's action, the County Administrator presented correspondence addressed to Senator Fowler, Chairman, Patuxent River Commission designating Jon Grimm, Director, Planning and Zoning, to be St. Mary's County's representative on the Demonstration Project.

The Commissioners agreed to sign and forward the letter.

**9) RESOLUTION NO. 92-1
PINEY POINT WATERWAY IMPROVEMENT DISTRICT**

As a follow up to last week's discussion, the County Administrator presented the referenced Resolution establishing the Piney Point Waterway Improvement District, which will include the following parcels: Ruth R. Swan (deed recorded at Liber No. 52, Folio 447 and Liber MRB No. 284, Folio 88); B. I. Smith (deed recorded at Liber CBG No. 12, Folio 449); and Heirs of M. C. Thompson, Jr. (deed recorded at Liber CBG No. 12, Folio 485).

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and sign Resolution No. 92-1 as presented. Motion carried.

Purchase Option

The County Administrator presented a Purchase Option dated December 30, 1991 given by Nancy Mattingly to the Board of County Commissioners of St. Mary's County for property in the Piney Point Waterway Improvement District site in the amount of \$21,000.

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

10) UTILITY CORRIDOR - FORMER RAILROAD RIGHT OF WAY

In response to letters that appeared in The Enterprise newspaper, the County Administrator presented letters addressed to The Editor and to Pere Joseph Jarboe correcting certain misunderstandings and misinformation relative to the utility corridor (former railroad right-of-way).

During discussion Commissioners Jarboe and Lancaster indicated that responses should be forwarded to letters that are addressed to the Commissioners, but questioned whether they should be responding to letters that appear in newspapers as Letters to the Editor.

After discussion Commissioner Thompson moved, seconded by Commissioner Loffler to sign and forward the letters as presented. Commissioners Jarboe and Lancaster voted against the motion. Motion did not pass with a two-to-two vote.

Commissioner Loffler requested that the letters be redone for his signature and that they include a statement as to the benefits from taxes for the natural gas line.

11) ST. MARY'S COUNTY MENTAL HEALTH PLAN

As a follow up to last week's discussion, the County Administrator presented correspondence addressed to the Mental Hygiene Administrator endorsing and recommending for approval the St. Mary's County Mental Health Plan presented by Frank Sullivan at the December 17, 1991 meeting.

12) MARCEY HOUSE BY-LAWS

The County Administrator presented correspondence to the Marcey House Board indicating approval of the revised by-laws. Commissioner Thompson questioned the amendment which read "A majority of the Board of Directors present shall constitute a quorum for the transaction of business at any regular meeting." She stated that the amendment appeared to give the Board the authority to conduct official business without a majority of the board.

Later in the meeting when the Marcey House Board appeared before the Commissioners, the Commissioners addressed the issue of the amendment. Mr. Henson indicated that the Board had a difficult time getting a majority of the board to attend meetings, and the Board recommended changing the by-laws to state a "majority of the board present" would alleviate that situation.

Commissioner Loffler advised that because of the functions of Marcey House--running Marcey House and approving budgets--it was important to have a majority of the board taking these actions.

After discussion the Board agreed to withdraw the by-laws amendment and to look into reducing the number of members on the Board, empowering the Executive Board to take care of day-to-day operations of Marcey House, and reduce the number of general meetings of the full board.

**MARCEY HOUSE BOARD
STATE FUNDING ALLOCATIONS**

Present: Larry Harvey, Director
Ken Henson, Chairman
Dan Donahue, Board Member
McGuire Mattingly, "

The referenced individuals appeared before the Commissioners to present a revised budget for Fiscal Year 1992 to be submitted to the State. The budget is a request for \$143,000, of which \$136,000 will come from the State. The board members thanked the Commissioners for their support during Marcey House's budget crisis. Mr. Henson noted that Marcey House will not be requesting the funds from the County Commissioners at this time in that they are seeking other funding sources.

In closing the Commissioners expressed appreciation to the Board for working together in resolving the budgetary problems.

1992 CATHOLIC REUNION UPDATE

Present: Becky Profitt, Catholic Reunion Committee
Doris Jones, "
Mary Pat Pope, Administrative Officer

The referenced individuals appeared before the Commissioners to give an update on the progress of the 1992 National Reunion of Descendants of Maryland Catholics to Kentucky to be held July 24-26. Mrs. Profitt presented a copy of the Registration form and indicated that 100 people have registered to date. Mrs. Profitt advised that First National of St. Mary's has provided a checking account and checkbook at no cost.

In closing Mrs. Profitt invited the Commissioners to be guests at any of the events during the Reunion and requested that they let the Committee know which events they will be attending.

DEPARTMENT OF PUBLIC WORKS

Present: Dan Ichniowski, Director

1) STORM DAMAGES

Mr. Ichniowski advised the Commissioners that the recent rain and wind storm caused some damages in the county such as fallen trees, which required 71 hours of overtime for his department. He said there was also damage to the river bank at Sand Gates which because of erosion is getting closer to the road. Mr. Ichniowski stated that he will be seeking state assistance for this project.

**2) ROAD ORDINANCE REVISION
STANDARD CUL DE-SAC DETAIL**

Mr. Ichniowski reminded the Commissioners that he had presented a proposed revision to the Road Ordinance in November. He stated that the proposal was circulated throughout the development community and no adverse comments have been received.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to adopt the Policy Statement No. R-91-04 for Standard Cul De-Sac Detail and to authorize Commissioner Loffler to sign the Statement and Road Standard. Motion carried.

**3) ABANDONMENT OF WHARF ROAD
QUIT CLAIM DEED**

Relative to the Commissioners' action to abandon Wharf Road, Seventh Election District, Mr. Ichniowski presented a Quit Claim Deed wherein the Board of County Commissioners of St. Mary's County conveys the abandoned portion of Wharf Road to Mary B. Drury. The Quit Claim Deed provides right-of-way for ingress and egress of that portion of Wharf Road to be used by the owners of St. Margaret's Island.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to accept and authorize Commissioner president Loffler to sign the Quit Claim Deed as presented. Motion carried.

4) PUBLIC WORKS AGREEMENTS

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

Potomac Sands Subdivision, Phase 2

Dated October 30, 1991 between Alan C. Borg and St. Mary's County guaranteeing completion of Potomac Sands Drive by November 1, 1992. The Agreement is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$60,800.

Bay Ridge Estates

Dated June 25, 1991 between Bay County Enterprises, Inc. and St. Mary's County guaranteeing the completion of Bay Ridge Drive and Wolftrap Street by January 1, 1993. The Agreement is backed by a Letter of Credit with First National Bank of St. Mary's in the amount of \$234,500.

Commissioner Jarboe moved, seconded by Commissioner Lancaster, to approve and authorize Commissioner Loffler to sign the Public Works Agreements as presented. Motion carried.

**5) ACCEPTANCE OF DEED
ROAD RESOLUTIONS**

Mr. Ichniowski presented a Deed dated May 3, 1990 between Israel Z. Swarey and County Commissioners of St. Mary's County accepting Laurel Ridge Drive, Finch Court, Jay Court, and Thrasher Court into the County Highway Maintenance System.

In addition Mr. Ichniowski presented the following Road Resolutions for the Commissioners' review and consideration:

R91-35 - Designating the following as "Stop Streets:" Finch Court as it intersects with Laurel Ridge Drive; Jay Court as it intersects with Finch Court; Thrasher Court as it intersects with Laurel Ridge Drive.

R91-36 - Posting Laurel Ridge Drive, Finch Court, Jay Court and Thrasher Court at 25 miles per hour.

Commissioner Thompson moved, seconded by Commissioner Lancaster, to accept the Deed, approve the Resolutions and authorize Commissioner Loffler to sign the documents as presented. Motion carried.

6) ROAD RESOLUTIONS
GOLDEN BEACH SUBDIVISION - SCOTT CIRCLE

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

R91-37 - Designating the following streets as "Stop Streets:" Scott Circle as it intersects with County Oak Road; Scott Circle as it intersects with Skyview Drive.

R91-38 - Posting Scott Circle at 25 miles per hour.

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

7) TRAFFIC SIGNAL - GREAT MILLS/ROUTE 5

The Commissioners requested Mr. Ichniowski to contact State Highway Administration to see if the installation of a full traffic signal could be accomplished earlier than July 1992. Mr. Ichniowski explained the engineering work that is required for such a project, but would check with Mr. Meehan of SHA regarding this request.

CWSP #90-1245
JOYNER PROPERTY (DECISION DISCUSSION)

Commissioner Loffler suggested that the Commissioners' decision on this application be deferred until additional information is received, e.g., results of the sanitary survey of the area in conjunction with the Water/Sewer Plan update.

After discussion Commissioner Jarboe moved, seconded by Commissioner Thompson, to defer a decision on this matter until additional information has been made available for the Commissioners' review. Motion carried.

EXECUTIVE SESSION

Present: Edward V. Cox, County Administrator
Dr. William Marek, Health Officer

Commissioner Lancaster moved, seconded by Commissioner Thompson, to meet in Executive Session to discuss a matter of Personnel. Motion carried. The Session was held from 11:05 a.m. to 12:30 p.m.

STAFF MEETING

The Commissioners attended the regular monthly Staff Meeting at the Carter State Office Building.

FISCAL YEAR 1992 BUDGET - ST. MARY'S COUNTY HEALTH DEPARTMENT

Present: Dr. William Marek, Health Officer

Commissioner Thompson pointed out that she would be hesitant to reduce the Health Department's budget by the 1.8% at this time because it would mean eliminating certain personnel. She stated that other department cuts have been reductions to items other than personnel such as programs. Commissioner Thompson indicated that the Health Department has received substantial cuts from the State and that the Commissioners should defer a decision in order to forestall these personnel cuts.

Commissioner Jarboe questioned the justification for not reducing the Health Department's budget by the 1.8%.

Dr. Marek pointed out that the Health Department originally did not have a problem with the 1.8%; however, the additional \$135,000, making a total of \$156,000 did make it a problem as it related to staff.

Commissioner Jarboe suggested that the Health Department look at the possibility of generating additional revenues through increased users' fees.

After discussion, Commissioner Thompson moved, seconded by Commissioner Lancaster, to reduce the Health Department's Fiscal Year 1992 Budget by \$135,000 (representing the County's match of the State's reduction of the Case Formula), and further to delay the decision on the County's 1.8% across-the-board reduction. Motion carried.

JANUARY 14 AGENDA - FISCAL YEAR 1992 BUDGET

Commissioner Loffler requested that staff develop an alternative for expenditure reduction for the items that the Commissioners had deferred for further review relative to the Fiscal Year 1992 Budget Reductions: Chamber of Commerce, Historical Society, Sotterley, Naval Air Museum, and Tri-County Council. The alternative should be presented for review by the County Commissioners on January 14.

7:00 P. M.

**EMERGENCY SERVICES
MASTER PLAN STUDY STATUS REPORT**

Present: Joe Carroll, Chairman, Emergency Services Committee
Committee Members
Mary Pat Pope, Administrative Officer

The referenced individuals appeared before the Commissioners to present a progress report on the 13 top priority issues from the recommendations contained in the Master Plan Study developed by Carroll Buracker and Associates. Status of these items reviewed by subcommittees are in three categories: Complete, On-going, and On hold.

The Committee agreed to return to the County Commissioners in July for the next status report.

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

ADJOURNMENT

The meeting adjourned at 7:35 p.m.

PUBLIC FORUM

The Commissioners distributed the status sheet from the December 3 meeting and conducted the regular monthly Public Forum receiving comments and questions as follows:

Minnie Russell - (1) Airedale Road sewage disposal site. The Commissioners informed Mrs. Russell that site selection has not yet been made; probably in late February or early March.

(2) Great Mills High School property exchange. The Commissioners informed Mrs. Russell the decision is still pending at the federal level. The improvements have begun and some are completed.

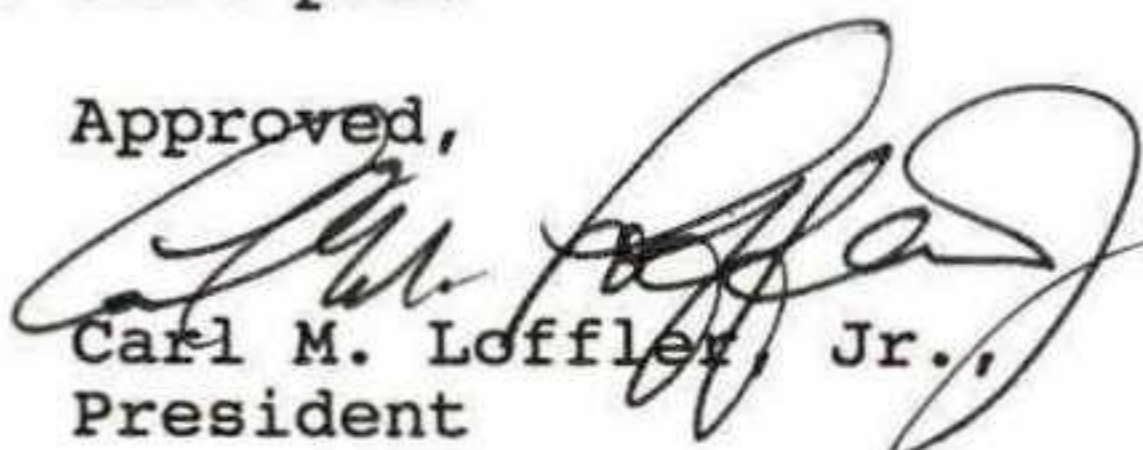
(3) Closing of Wharf Road versus closing of Fox Harbor. The Commissioners pointed out the differences between the two situations. Mr. Cox assured her the County would negotiate any improper property use once demonstrated by a registered surveyor.

Paul Chesser - (Representing League of Women Voters) (1) Expressed gratitude for recycling program. (2) Requested greater encouragement of commercial haulers. Mr. Loffler stated proposal will arrive shortly from commercial haulers.

Lizette Day - (League of Women Voters) Expressed appreciation to the Commissioners but indicated concern that there was such a small turnout.

The public forum concluded at 7:58 p.m.

Approved,


Carl M. Loffler, Jr.,
President