

BOARD OF COUNTY COMMISSIONERS' MEETING

Tuesday, December 7, 1971

Present: Mr. George R. Aud, President
Mr. J. Wilmer Bowles, Commissioner
Mr. J. S. Guy, Jr., Commissioner
Mr. Robert Wigginton, County Attorney
Mr. Paul R. Raley, Administrative Officer
Mrs. Judith D. Bowles, Secretary (Recording)
Miss Christy Selph, Beacon
Mrs. Patty Muchow, WPTX
Mr. Chauncey Karstens

The meeting was called to order at 9:25 A.M.

St. Mary's County Health Department - 2 Way Radios

Present: Dr. Houser and Walter Raum

Subject: Placing of radios in sanitarian's cars.

Dr. Houser stated that the suggestion of the two way radios was discussed before but on an informal basis. He suggested that payment for the radios could be secured from the overage of last year's unspent budget, some of which has already been received. Dr. Houser stated that \$20,000 has been returned and that the Health Department was asking for \$8,500.00 to defer the costs of the radios.

Dr. Houser went on to say that Mr. Otis Wood is willing to let them use the shorter antennas. The cost of leasing a telephone line to Lexington Park would run approximately \$1.00 a day with a stand-by unit in Leonardtown.

The County Commissioners unanimously approved the payment of \$8,500.00 to the Health Department for the purchase of the radios.

Dr. Houser will submit a supplemental budget request. Mr. Bowles asked Dr. Houser to submit a written proposal to the Commissioners for the records.

Metropolitan Commission

Re: Chief Engineer, Legal Counsel, Legislation and Benefits for its employees

Present: Admiral Clark, Messrs. Merchant, Marley, McWilliams, Parlett, Ludwig and Taylor.

Mr. Merchant stated that he thought that as an agency of the County, the Metropolitan Commission is dependent on the County Commissioners for certain decisions. He went on to say that the role the Metropolitan Commission played in the County was a great one. He felt that there was inadequacy in control of pollution and that development is coming to the County which is not controlled the way it should be and that they were looking for end results, and that there were certain things in which they were in dire need.

Chief Engineer

Mr. Merchant stated that the Metropolitan Commission needed a chief engineer and did not feel that he should be diverted from anything other than sanitation because the Commission had enough problems to keep him busy. In doing the job, they presently had an engineer come down from Baltimore on their construction. He added that his expenses were high and felt with a resident engineer there would be no real increase in cost.

He stated that the Metropolitan Commission has tried to get applicants for this job who are qualified. The salary would be from \$17,000 to \$20,000 and any salary below this the person would not be qualified. Mr. Merchant stated that the Commission was concerned as to the source of this money for the engineer in that the Mattapany District was the only source of income they had. Mr. Aud asked Mr. Merchant if they expected the County to participate 100%. Mr. Merchant replied that they would have to see what percentage, timewise would be used by the County before he could come up with any figure. Mr. Merchant felt that the County needed some control with Mattapany a part thereof, and that there should be one sanitary district with subdistricts. He then referred to a Resolution that was passed by the Metropolitan Commission on November 11, 1971, and submitted a copy for the Commissioners' consideration and action. He added that this would put the Metropolitan Commission's engineer in a better position to take care of the entire County.

Right of Prior Entry

Mr. Merchant stated that the Metropolitan Commission would like to have the right of prior entry to private property and requested the County Commissioners to support for such legislation. Mr. Aud stated that they have had trouble getting this bill through and felt that this was very important. Mr. Merchant stated that the people want to save our waters from pollution which takes long term planning.

Mr. Merchant stated that at the present time, the Metropolitan Commission did not have their easements and in one case the easement cost is approximately \$15,000. Mr. Wigginton asked if they had filed for condemnation. Mr. Merchant stated that he felt the Metropolitan Commission's attorney had been overburdened with work to handle all the legal problems as quickly as possible. At this point, Mr. Kenny, the Metropolitan Commission's legal counsel, stated that several cases had been settled and those that were not filed were due to description changes.

Mr. Merchant stated that Charles County was having similar problems and that it was costing them thousands of dollars. It was felt that prior entry was the only solution to the problem.

Mr. Aud stated that the County Commissioners were in the process of getting their legislative package together by December 18 and perhaps the Metropolitan Commission should have some input into the package in reference to the right of prior entry. Mr. Chauncey Karstens said that he felt we should find a document of a case in point and he felt that then the Metropolitan Commission would have a basis for their request by submitting some supporting information. Mr. Merchant asked if the County Commissioners needed this information by the 18th of December. Mr. Wigginton stated that it was necessary. Admiral Clark asked if this had to be submitted from their counsel to the Commissioners' counsel. Mr. Wigginton stated that the County Commissioners were preparing a package of legislation they wanted passed and asked that the information be given to him and he would get it prepared. Mr. Guy requested that the Metropolitan Commission prepare some documentation as to the background of this request. Mr. Bowles stated that time was of the essence and they should submit the information to the Commissioners secretary and she would see that it was given to Mr. Wigginton.

Billing:

Mr. Merchant requested the ability of the Metropolitan Commission to bill on a monthly basis instead of a quarterly basis. Mr. Guy asked Mr. Merchant if he wished this to be suggested to the legislators. Mr. Merchant stated that he would.

Legal Counsel:

Mr. Merchant informed the Commissioners of Mr. James Kenny's desire to resign as their legal counsel. He stated

he felt that the County itself needed a counsel and he thought that if they had a law office handling all County work and business, it would solve a lot of their problems.

He stated that he felt there had been an awful lot of "foot dragging" because of the heavy work load of their present legal counsel, due to the fact that this was a private law practice and Mr. Kenny could not devote his full time to the Metropolitan Commission's legal work. Admiral Clark stated that we do not have authority County wide and if legislation goes through and they obtain this authority, they should be able to handle it all. Mr. Bowles asked Admiral Clark if he would need a counsel eight hours a day. Admiral Clark stated yes, however, in a few months time they might not need him, but other agencies of the County could use these services. Mr. Aud stated that this would have to wait until some other time, but for the present, the Commissioners would concentrate on the request of a single sanitation district and right of prior entry. Mr. Karstens stated that the Metropolitan Commission was hoping that the County would contribute 50% of the sanitation engineer's salary. Mr. Wigginton stated that the Metropolitan Commission was supposed to be self-supporting and this was something that would have to be worked out.

Admiral Clark stated that under the present wage and price freeze they would have to expand the perimeter of the engineer's job. The Commissioners have the authority to allocate \$12,000 for an engineer and if they raised the salary to \$18,000 it would be subject to justification by the Wage and Price Board. Mr. Aud stated that this would be taken care of if a single sanitation district is passed, then we could rescind the \$12,000 figure. Mr. Guy stated that under the Comprehensive Water and Sewerage Plan we would be asking the Sanitation engineer to overlook the entire County.

Employee Benefits:

Present: B. Harris Sterling, Director of Finance

Re: Hospitalization

Mr. Merchant stated that as the Metropolitan Commission was expanding, their employees were demanding some benefits. He was wondering if the County had group hospitalization available for everyone, even if it is not funded.

Mr. Sterling replied that the Finance Office was studying certain companies now and the Metropolitan Commission's roster is being included so that they could come up with a maximum figure. He stated that the County's insurance company would not submit one bill, but that the County and the Metropolitan Commission would be

billed separately. He said he felt that this would be cheaper, combining the County and the Metropolitan Commission into one group. He stated that this is still under study and he hoped to have an answer by the end of this year. Mr. Sterling also stated that the employees would have to pay their full premium.

Retirement:

Mr. Sterling stated that for retirement benefits, the Metropolitan Commission would have to go through the State and that they would come down and do a study and give them a cost breakdown. Mr. Francis Taylor asked if the Metropolitan Commission could come under the State Health Insurance Plan. Mr. Sterling replied no, that we had no control over the Metropolitan Commission's payroll. Mr. Aud stated that we could set up an appointment for the Metropolitan Commission to meet with the State. Mr. Sterling added that he would send the Metropolitan Commission his analysis and stated that the fact they had new buildings, equipment, etc. would be in their favor.

In summing up, Mr. Merchant stated that the Metropolitan Commission would get their legislative package to the County Commissioners as soon as possible on the right of prior entry and a single sanitary district.

He stated that a sanitary engineer is essential and should he be covering county-wide areas, the county should participate in allocating funds for his salary. He added that the Metropolitan Commission would like to see their employees taken care of as far as benefits were concerned.

Admiral Clark asked the Commissioners if they would permit the Metropolitan Commission to go ahead and try to get a young man for the engineer's job and would the Commissioners be able to use his services. Admiral Clark stated that for six months the Metropolitan Commission would use him for eight hours a day and after that maybe they would be able to use him for an hour a day.

The Commissioners would not know in what capacity (time wise) the County would be able to use his services. Mr. Aud suggested that the Metropolitan Commission hire the engineer for six months and if he will come on these terms, he could not foresee any problems. Mr. Bowles asked what percentage of the engineer's time would be spent on sanitation work. Admiral Clark stated that there would be a 50/50 break because of the Comprehensive Water and Sewerage Plan. Mr. Bowles asked what could be done with the remaining 50% of his time. Admiral Clark stated that he could be

used to design lateral sewers. Mrs. Bowles said that in other words the Metropolitan Commission needs a full time engineer. Admiral Clark replied they did, considering other County work (sanitation only). Mr. Bowles asked if this would alter Mr. Marley's workload. Admiral Clark replied that it would not.

Bills approved:

Loker and Wigginton (Legal services for the month of November)	\$ 1,050.50
Department of Social Services (Food stamps, etc. month of January, 1972)	12,281.33

Personal Leave Days

The secretary to the Commissioners read a letter directed to them from the County attorney which unfreezes the three personal leave days, as of November 15, 1971, providing the overall increase in wages, including fringe benefits does not exceed 5.5%.

Vouchers Signed

Mr. George R. Aud approved and signed vouchers from #904 to #1017.

Patuxent River Bridge

Mr. Paul Raley, Administrative Officer, stated that he had been in touch with Mr. George Burnett, Governor Mandel's Liaison Officer for St. Mary's County, as to the status of the Patuxent River Bridge. Mr. Burnett stated that the bids for the eight piers had been advertised but they have deferred the opening because of permits. They must have a clearance of three different permits.

Mr. Burnett stated that their main problem was with the Coast Guard in that the permit involved environmental impact and they would take so long to review it. He also stated that the Department of Chesapeake Bay Affairs recommends relocating the oyster beds. The State Highway Administration agreed to pay the cost of moving the oyster beds. No problems are expected with reference to the dredging of the piers. They are awaiting a letter from the Secretary of the Interior to the Corps of Army Engineers. The Department of Public works is to review these permits and there are no problems anticipated.

The overall length of the bridge is to be 7,000 feet and the piers should be completed by January, 1973 so the super-structure can begin.

Mr. Raley stated that Mr. Burnett requested that he be able to attend next Tuesday's meeting of the Board of County Commissioners to sit in and advise him in advance of his attendance of any particular problems we were having. Mr. Bowles requested Mr. Raley to contact Mr. Burnett in reference to an access road to the bridge in order to secure information pertaining to the proposed subdivision envisioned for the areas. Mr. Guy requested information as to the status of the oyster bar situation and pollution County wide.

Mr. Paul Raley will be in touch with Mr. Burnett with reference to the above.

Board of Library Trustees

The County Commissioners unanimously approved the reappointment of General Robert Hogaboom to the Board of Library Trustees for a period of three years.

Point of Discharge-St. Inigoes

Mr. Bowles stated that until such time as we have the following information from the State agencies we can make no decision pro or con to the point of discharge of St. Inigoes:

1. Effect of this point of discharge would have on the water quality.
2. Effect of this discharge on the Comprehensive Water and Sewerage Plan for the County.
3. Effect of this proposed subdivision on the economic development of the County.

The above came about after the Commissioners received a letter from the State Health Department implicating that they were waiting for our decision as to St. Inigoes. The secretary was advised to send a letter to the State Health Department outlining the above requirements as stated by Mr. Bowles, requesting this information from the respective State agencies.

Press Conference:

Present: Miss Christy Selph, Beacon
Mr. Jack Kershaw, Enterprise
Mrs. Patty Muchow, WPTX
Mr. Dick Myers, WKIK

An official office copy is on tape on file.

ROADS MEETING:

Present: Mr. Douglas Bond and Mr. August Wagener and Mr. J. Dennis Raley, Jr.

James A. Goddard-Drayden

Mr. Aud stated that water was draining into Mr. Goddard's driveway. Mr. Bond stated that they had been putting gravel in this driveway. He will also add crushed stone.

Parson's Mill Road

Speed limit signs (30 MPH) were requested to be erected.

Golden Beach Road

Mrs. Jane Henderson has been in touch with this office and stated that the hill is washing away as well as her driveway. Mr. Bond requested that the County Commissioners go and look at it because he felt that nothing could be done.

Mr. Aud asked Mr. Wagener to look at it and report back to the Commissioners.

Wicomico Shores Yacht and Country Club

Many residents in this area have been complaining that debris had been left in the road due to the fact that construction is going on in this area.

Mr. Guy requested Mr. Bond and Mr. Wagener to send the developers a letter asking them to keep this road cleared of all debris.

Old Dump-Maddox

Mr. Guy stated that an old abandoned car had been left in the entranceway. Mr. Junior Raley volunteered to remove it.

Presentation

Mr. Stuart Hobbs, with the telephone company, presented the County Commissioners with a picture displaying the State House that appeared on the front of the telephone books in 1971.

Clements Landfill

Col. Simpson requested a change in the stop sign on Manor

Road and Hurry Road. Mr. Guy requested that a traffic run survey be conducted to determine the amount of traffic going to and from the dump at Clements, so as to determine which road had the most traffic.

St. George's Island

Mr. J. Dennis Raley, Jr., stated that the wharf was in pretty bad shape and that bulkheading is in need of patching. It was felt that this could only be done on a temporary basis. He stated that 700 feet of the wharf will have to be replaced eventually.

Mr. Junior Raley stated that the cost for the replacement of the wharf would be \$40.00 per foot. Mr. Bowles remarked that this was a similar type situation as that at Seven Gables and asked Mr. Paul Raley to check and see what our procedure was on the project at Seven Gables and perhaps the same format could be followed.

Horseshoe Club

Mr. Junior Raley stated that a water problem existed at the above site. He added that a small pipe had broken filling the road with water and he would see that it was replaced.

Attendant-Ridge Dump

Mr. Paul Raley stated that there have been reports of fires at the Ridge Dump and Mr. Harris, the attendant, was not always there. Mr. Paul Raley stated that he would talk with Mr. Harris. Mr. Aud suggested that Mr. Raley write him a letter stating that we had hired him to be there at certain hours and if he cannot be there at these hours, then we will have to fire him. Mr. Raley stated that he had talked to Mr. Harris previously about this factor. Mr. Aud asked Mr. Raley to talk to him again and straighten him out.

White Neck Creek Wharf

The Department of Chesapeake Bay Affairs has written their approval of the \$5,000 which has been received for the construction of the wharf at White Neck Creek.

Mr. Bowles motioned that the Commissioners approve the construction of the wharf. Mr. Aud seconded the motion. The Commissioners unanimously approved the construction of the wharf.

Mr. Ronald Delahay will be notified that the bid has been awarded to him and that he may begin construction of this wharf.

St. Jerome's Wharf

Mr. Aud stated that there were 22 acres of land available for sale adjacent to the public landing at St. Jerome's Wharf.

Mr. Aud stated that the land sold for \$2,500 an acre and he felt that we should pursue the opportunity. The other Commissioners were in agreement.

The secretary has given this information to Mr. John Baggett, Director of Recreation and Parks to follow-up.

Restoration of Tudor Hall

Present: Miss Barber, Mrs. Jansson, Mrs. Hurry, Gen. Hogaboom and Admiral Clark.

The secretary read a letter to the Commissioners received from Mrs. Jansson, President of the Board of Library Trustees, dated December 6, 1971.

In summarizing the letter, Mrs. Jansson stated that the Board of Library Trustees wanted to clarify the funding of the Tudor Hall Project:

H.U.D. Contracted	\$ 95,350.00
County Committed	<u>100,000.00</u>

Funds available for the restoration of Tudor Hall	\$195,350.00
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The first bidding produced estimates larger than funds available for the restoration. The architect then modified the specifications and drawings to bring the cost down. The second offering produced a bid of \$145,413.00 by the Mervell Dean, Inc. construction company, making a difference of \$30,000 available to enable the Board of Library Trustees to replace certain original items in the building that were omitted to reduce the cost.

A change order has been submitted to the Commissioners for their signature enabling them to have a lift installed in order to accomodate a book cart so that the library personnel, mostly women, will not have to carry heavy boxes on and off the lift.

Mrs. Jansson also remarked that under the HUD contract, they would be allowed a 12% of the total bid for landscaping.

Mr. Aud stated that as long as the funds were kept under the County's figure of \$100,000, he would have no objections.

Mr. Aud signed the following documents:

Schedule for contract payments
Construction schedule chart
Change order for the lift \$2,704.00)

Mr. Aud stated that he had talked to Mr. Loeffler and Mr. Loeffler stated that he expected to have the work completed in five months.

Mrs. Hurry stated that the library board originally submitted a budget request for only a half year's rent for the building on Hollywood Road being used now and a half year's salary for a custodian. They would like to request the remaining half at this time.

Mr. Sterling stated that he would see that they received a check for the remainder of this money.

Board of Library Trustees Appointment

The County Commissioners unanimously approved of the re-appointment of Mr. James Kenny, III, for a period of seven years.

Mrs. Jansson remarked that the Board of Library Trustees felt that there should be a little fanfare and publicity involved when Mr. Kenny accepts re-appointment. The Library Board felt that this was the least that could be done due to the fact that they would be devoting so much of their own time.

Mr. Aud stated that the County Commissioners would have Mr. Kenny attend their first meeting in January and have the press available for some publicity.

Library Board Liability Insurance

Mrs. Jansson asked the Commissioners to check into obtaining liability insurance.

Mr. Wigginton stated that he would check into this.

Dukehart Creek-Dredging

Commissioner Aud stated that he felt the Commissioners should approve and sign the contract as submitted by Mr. Ozzie

Wilson of the Southern Maryland Dredging Company, Inc, (at a cost of \$62,602.00), for the dredging of Dukehart Creek. He also stated that we have received approval from the Department of Chesapeake Bay Affairs.

Commissioner Guy said that he felt the creek should be dredged to allow for a turn around basin.

Mr. Paul Raley was instructed to find out from Mr. Wilson how much it would cost for this additional dredging and to see if we could obtain funding from Chesapeake Bay Affairs.

Piney Water Company

The County Commissioners approved and signed the option to purchase all assets of the Piney Point Water Company, Inc.

Agreement of sales for the Watershed

The agreement of sale for properties in Site I of the Watershed were approved and signed by Mr. George Aud.

The meeting adjourned at 4:30 P.M.

George R. Aud
President