

BOARD OF COUNTY COMMISSIONERS MEETING

Tuesday, January 23, 1973

Present: Commissioner J. Wilmer Bowles, President
Commissioner J. S. Guy, Jr.
Commissioner George R. Aud
Paul R. Raley, Administrative Officer
Joseph Weiner, County Attorney
Judith A. Mullins, Recording Secretary

CORRESPONDENCE PRESENTED BY PAUL RALEY, ADMINISTRATIVE OFFICER

(1) Letter of January 15, 1973 from Buckmaster, White, Mindel and Clark, Attorneys representing Victor Reynolds setting forth Mr. Reynolds commitments on his Kitts Point project.

(2) Letter from Department of Recreation and Parks stating that at the Recreation and Parks Meeting of January 11, the Board was opposed to the selling of the property at St. George's Park. The letter was referred to Commissioner Guy as Commissioner member to the Recreation and Parks Board for further study.

(3) Letter from William H. Greene, Chairman of the Commission on Human Relations submitting Peter T. McGuckian's resignation from the Commission. Commissioner Guy requested Paul Raley to verify if Mr. McGuckian represented any particular agency before we look for a replacement.

(4) Letter of January 16 from Willard L. Broms, Assistant States Attorney making a formal requesting for funds not to exceed \$500 for further investigation of the Sharon Lea murder.

(5) Letter from a committee to organize a humane society in Southern Maryland requesting the presence of the Commissioners at their first formal public meeting, January 18. The letter was not received until January 18 and, therefore, the Commissioners could not attend.

(6) Letter from Frank Corder and wife requesting an assessment appeal. An appeal will be scheduled.

(7) Letter of January 9, 1973 from Neal Myerberg, Attorney, regarding the Kraft case with copy of Mandate of the Court of Special Appeals of Maryland indicating the costs to be paid by the County Commissioners in the amount of \$209.70. Also \$119.75 to be paid to the Daily Record.

(8) Letter from Warren D. Hodges of Maryland Department of State Planning regarding "Hurricane Agnes" - Oyster Repletion and enclosing a copy of the Summary Notification for review and comment. They wish a reply by February 13.

(9) Letter from Department of Public Safety and Correctional Services enclosing a report on Federal Disaster Assistance Program to be completed by January 31, 1973.

(10) Letter from John Hanson Briscoe in answer to our letter of January 8, 1973 in which we requested that he vote to override the Governor's veto on House Bill 16 and House Bill 1077. He stated that he voted to sustain the Governor's action in each case.

(11) Letter from Judge Mattingly stating he had appointed Larry Holtz as law clerk at an annual salary of \$7,000. All Commissioners unanimously approved.

(12) Letter from John Baggett stating that Edward Atkins should be given permanent status. All Commissioners agreed to place him on permanent status.

(13) Paul Raley stated that Ed Cox requested verification of the date of January 28 for Walden Counseling dedication.

(14) Letter of January 10, 1973 from John T. McGucken of CAMPS stating the Southern Maryland Area Ancillary Manpower Planning Board was too large and that some names need to be eliminated. A new list for St. Mary's County is to be made and put in our files.

FAIRGROUND PROPERTY

Paul Raley stated that he has checked on the fairground property to be used for the police barracks and that the piece of property being used for parking is owned by the County and not leased to the Fairboard. Mr. Weiner is to give a written opinion on this.

CRIME REPORT

Paul Raley was requested to ask Clark Gravelle of LEAA for the crime report that Commissioner Aud has requested from him at the meeting of January 9, 1973.

ST. JEROME'S CREEK AND WHITE NECK CREEK

Commissioner Aud asked Paul Raley about the dredging project at St. Jerome's Creek and White Neck Creek. Mr. Raley is to write to Louis Phipps of Department of Natural Resources to see if money is available this year.

ST. MARY'S COUNTY FILM

Commissioner Bowles referred to his conversation with Mr. Earl Griswold concerning the film on St. Mary's County. Commissioner Guy stated that he felt a meeting should be scheduled with Mr. Griswold and the Commissioners. Commissioner Guy asked about the possibilities of the use of the film and how many copies of the film would be needed. Commissioner Bowles asked about sponsors for the film for television stations. Commissioner Guy suggested EDC should take care of this. Paul Raley is to talk to Mr. Griswold to set a date and time for him to meet with the Commissioners.

MENTAL HEALTH ADVISORY BOARD

Judge Phillip Dorsey declined to serve on the Mental Health Advisory Board.

ASSESSMENT APPEAL - Fay Rathbone

Commissioner Aud made a motion that the Commissioners approve the assessment of Fay Rathbone's property as set by the Assessment Office. Commissioner Guy seconded the motion. Commissioner Bowles made it unanimous.

RESOLUTION

A Resolution for Payment in the amount of \$650 per annum in Lieu of Taxes for the Home for the Elderly was signed by all Commissioners.

VOUCHERS SIGNED

Vouchers Nos. 4007 through 4107 dated January 5 through January 18, 1973 were unanimously approved by the Commissioners and signed by Commissioner Bowles as President.

FINANCE DIRECTOR - B. Harris Sterling

A letter from Judge Mattingly was received regarding Norma Miller, Court Reporter in which he requested that she be given an increase to Grade 14 Step 1 effective January 20, 1973. Although she is not on the merit system, he requested that she be able to utilize retirement, leave and hospitalization that are made available to merit system employees. Also that she be allowed to take annual leave up to and including what she would qualify for when she leaves to have her baby. Commissioner Guy suggested that she be put on a contract to receive these benefits. Mr. Sterling stated maternity leave is for two months prior to delivery and two months after. Commissioner Bowles stated that a contract should be developed between Norma Miller and the County setting forth benefits that are afforded other County employees and submit it to Judge Mattingly for review.

HISTORICAL SOCIETY

\$416.68 has been spent for office salaries for the month of December by the Historical Society for operation of the Tourist Information Center. Commissioner Aud made a motion to approve payment. Commissioner Bowles seconded the motion. Commissioner Guy was not present at this time.

BILL FROM H. VERNON ENEY *to be received*

Mr. Sterling stated he received a letter from Attorney Eney with the breakdown of his bill for his services rendered in connection with the case of County Commissioners of St. Mary's County vs. Sound Media, Inc. Mr. Eney stated that total expenses came to \$11,460 but the bill was for \$9555.02. Mr. Sterling will give a report on the breakdown at a later time.

MOBILE CRIME LAB

Mr. Sterling presented a report from Sheriff Williams by Sirchie Laboratories Marketing concerning the Mobile Crime Lab costs in the amount of \$6,850 for equipment, not including personnel, vehicle, or operating expenses. Mr. Sterling is to see if money for this can be obtained from LEAJ and if additional manpower would be necessary.

EXCHANGE OF PROPERTY AT EAST KEY WAY AND LIBRARY PLACE

Present: John Norris, Asst. County Engineer

John Norris submitted plans to be drawn up for the exchange of property of East Key Way and Library Place. He stated that there were two alternatives as shown on the plat that was prepared by Lorenzi, Dodds and Gunill. First alternative is to divide the property as the Commissioners had originally requested. Second, is to divide the land as proposed by the property owner, James W. Mattingly. The Commissioners decided to ask Mr. Mattingly to go along with the original proposal that he had verbally agreed with previously. Mr. Norris is to contact Mr. Mattingly to see if he will accept the original proposal and Commissioner Bowles indicated that he would assist Mr. Norris if necessary.

NANCY LANE AND CHANCELLORS RUN ROAD

Present: John Norris, Asst. County Engineer

John Norris stated he received a letter from an unsigned concerned citizen requesting the removal of a cedar tree as it was blocking sight distance for cars entering Chancellors Run Road from Nancy Lane. The tree is on private property. Mr. Weiner said the tree could not be removed since the property owner did not consent to having it removed.

SMITHS CREEK AND ST. GEORGE'S CREEK

Present: John Norris, Asst. County Engineer

John Norris stated he had received approval from the Department of Natural Resources for the repair of the wharf at Smiths Creek and the construction of a pier at St. George's Creek. He said he had received a reimbursement check from the Department of Natural Resources. There are two contingencies on these projects. First, is that the project must be completed in six months. Second, if either one of the piers is closed by St. Mary's County, the funds expended must be reimbursed to the State. The property is leased to St. Mary's County and the expiration date of the lease is December 31, 1987. Mr. Norris is to write to Mr. Alexander V. Sandusky, Director of Waterway Improvement Section, Department of Natural Resources for clarification of the second contingency as it relates to the proposed pier at St. George's Creek.

SECURITY LIGHT - ST. GEORGE'S ISLAND

Present: John Norris, Asst. County Engineer

John Norris stated he received a request for a security light on St. George's Island at the public wharf. Commissioner Aud made a motion for the installation of the security light. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous. Mr. Norris is to check with the Department of Natural Resources to see if they would pay both the installation and energy costs.

GOLDEN BEACH

Present: John Norris, Asst. County Engineer

The Commissioners reviewed the plats for Golden Beach and asked John Norris what would have to be done to finalize the plats. The plats had received final approval in 1965 by the Planning Commission. Mr. Norris stated that the plats had been recently reviewed by the Planning Commission. The Planning Commission recommended that the developer start anew for compliance with the Sedimentation Control Ordinance and the Health Department Regulations. In addition a drainage study would have to be made; also road construction profiles and road bonds would have to be submitted and approved. Mr. Weiner stated that in his opinion that they did not have to be resubmitted since they had been previously approved.

Commissioner Guy stated that the bonds previously submitted to the County Commissioners should be recorded and notarized. Mr. Norris is to look into this with Mr. Weiner.

The amount of the road bond was decided to be in the amount of \$12.50 per foot, and the roads being 20,000 feet in length making the bond \$250,000. Commissioner Aud made a motion to approve said bond, seconded by Commissioner Guy and Commissioner Bowles made it unanimous. Mr. Norris is to write to the owner of the property stating amount of the bond and telling him what he needs to do in order to place these plats on record.

NEWSLETTER FROM NATIONAL RECREATION AND PARKS ASSOCIATION

Present: John Baggett, Director of Recreation and Parks

Mr. Baggett stated that he received a newsletter from National Recreation and Parks Association - Washington Action Report stating there were cuts in park funds. There is an 18 month freeze imposed on new proposals for community development which includes Open Space. Action Report also learned that the budget, to be sent to the Congress later this month will drastically cut Land and Water Conservation Fund.

TOWN CREEK

Present: John Baggett, Director, Recreation and Parks

John Baggett stated that extra construction work was needed at Town Creek. Mini bikes come down the hill and create a problem. He stated he would like a fence about 900 feet and chain guard rails. The weeds need to be cleared and the area seeded on the side of the hill. Then the project would be completed. The cost of the fence would be \$700-\$900. It can be expended from the \$2,571.80 that has been appropriated for the work to be done at Leonardtown and Town Creek. All Commissioners agreed to have this work done as long it did not exceed the appropriated amount.

LAUREL GROVE (Mazie L. Graves property)

Present: John Baggett, Director, Recreation and Parks

John Baggett discussed the Laurel Grove property which Recreation and Parks is interested in buying. He presented a list of comparables. The assessed value of the property was \$252 an acre, which represents 100% value according to the assessors. Commissioner Bowles asked if the land was perkable and Mr. Baggett stated that the Soil Conservation Service tested the soil and that it was perkable. Mr. Baggett requested the Commissioners' permission to have the property appraised. Commissioner Bowles stated that Mr. Baggett should have the owners sign an option agreement during which time appraisals can be made. The Commissioners approved that John Baggett seek to obtain an option for \$1,000 per acre or the appraised price per acre, whichever is the lesser of the two. Terms of the option is to be six months.

PIGSKIN BANQUET

Present: John Baggett

John Baggett told the Commissioners that the Pigskin Banquet will be held on January 27, 7:30 p.m. at Leonard Hall Drill Hall.

RENTAL OF HOPKINS PROPERTY

Present: John Baggett

John Baggett stated he wrote a letter to Mr. Weiner requesting him to outline a 60-day option to go on the property to have appraisals made of necessary repairs. There is some question as to whether Mr. Hopkins owns the property outright. Mr. Weiner wrote a letter to Mr. Hopkins asking him to give names of people who own the property with him. As of this date no answer has been received.

COUNTY FINANCING

Present: Kennedy Abell, Vice President, Md. National Bank
(Leonardtowntown Branch)
Robert Worthington, Vice President, Md. National Bank
Doug Dayhoff, Investment Consultant, Md. National Bank
Harris Sterling, Finance Director

Mr. Worthington presented to the Commissioners the services they would like to offer St. Mary's County regarding County financing. The services included: investment program, bond sales, tax collections and tax bill mailing and payroll. He stated he would like to coordinate working with Mr. Harris Sterling. They have been working with Charles County for about two years and Mr. Sterling said he would like to see how the system works for Charles County. The Commissioners thanked them for their presentation and requested they continue their discussion with Mr. Sterling in his office.

TANNER CREEK - SHORE EROSION DISTRICT

Present: Louise Blosser, President of Tanner Creek Citizens Assoc.
Charles Monroe
Harold A. Duffy
Peter J. LoMedico
A. T. McCormick
Robert Blosser
Eugene A. Jenkins, Jr. (from Senator Mathias' Office)
A. E. Paton
Leonard Cassanova, Department of Water Resources

Mrs. Blosser presented the necessary petitions to adopt a Shore Erosion District. There are close to 160 members in the Tanner Creek Citizens Association, which represents more than 75% of the property owners who have property in that district. She also submitted a description of boundaries and a plat guide.

Mr. Cassanova stated \$500,000 is appropriated a year from the Department of Natural Resources for the entire State of Maryland and the estimated cost for this project is \$350,000.

Because the property from the Tanner Creek sluiceway to the Point Lookout causeway has eroded into the Chesapeake Bay and there are no owners for this section, discussion followed as to who would be responsible for the cost of the work from the sluiceway to the causeway. It was recommended by the Commissioners that the Tanner Creek Citizens Association request the State to assume responsibility for the shore erosion control between the sluiceway and causeway.

Commissioner Bowles told Mrs. Blosser the steps which will be taken to develop the Shore Erosion District for Tanner Creek. The Commissioners will submit a request to the Department of Natural Resources enclosing the list of petitioners and description of boundaries of the property comprising the proposed shore erosion district. The Department of Natural Resources will make recommendations to the County Commissioners.

ASSESSMENT APPEAL HEARING (Mary O. Calloway)

Present: Mary O. Calloway
William F. Herbert, Supervisor of Assessments
William Lawrence, Chief Assessor

Mrs. Mary O. Calloway appeared before the County Commissioners to discuss the tax assessment on her property. She said in 1965 the taxes were \$290.11 and in 1972 she paid \$527.23. She stated that the business is no longer operating and did not think she should be assessed so much when it is not being used. Mr. Herbert stated the property is assessed at 60% of what the present market value would be and if the business were being used, it would be assessed higher. The only increase was on the house and the land and not on the large building.

Commissioner Bowles told Mrs. Calloway she would be advised of their decision and if it was not in her favor she could appeal further.

ARCHAEOLOGIST AND HISTORIAN APPOINTMENT

Present: Michael Humphries, Archaeology Instructor
Col. Thurston Baxter, President, St. Mary's County
Historical Society
Mr. Edwin Beitzell, Editor, Chronicles of St. Mary's

Michael Humphries presented to the Commissioners a proposal for the creation of the position of a County Archaeologist and Historian. He stated that other counties have Historians and that with the development in this County, someone is needed to put this information together. He recommended Mr. Beitzell. All Commissioners unanimously agreed to appoint Mr. Edwin Beitzell as Historian for St. Mary's County, effective this date. He would serve at the pleasure of the Board of County Commissioners.

Commissioner Guy made a motion to appoint Michael Humphries as Archaeologist for St. Mary's County. Commissioner Aud seconded the motion and Commissioner Bowles agreed.

C.P.A. FIRM OF COLVIN, BURROUGHS AND COOKE

Present: Edwin S. Burroughs
Jerry M. Colvin
B. Harris Sterling

Commissioner Bowles stated that Mr. Colvin and Mr. Burroughs had been invited to meet with the Commissioners to discuss the possible employment of their firm to do the audit work for the County Commissioners on the Metropolitan Commission. The audit for the previous year has been completed. Commissioner Bowles asked about their availability for doing this work and also the Commissioners would like to know what the cost would be. Mr. Colvin said they would be willing to do the auditing and as far as the cost, they would like to see a copy

of last year's report and what is involved in this work, after which time they would come back with a cost estimate. Mr. Sterling stated Gruber and Co. had done the audit previously and he was sure that Mr. Gruber would be happy to meet with them. Mr. Sterling is to call Mr. Gruber and set up a date for them to get together.

PLANNER FOR ENGINEER'S OFFICE AND PLANNING COMMISSION

Present: John Norris, Asst. County Engineer

A letter was received from Department of State Planning requesting a representative at a meeting of State Planning Technical Coordinating Committee on January 31, in Baltimore. John Norris is to attend the first meeting. John Norris stated that he would like to propose that a Planner be hired for his office to take care of matters such as this. Commissioner Guy stated he would like to see the overall proposal of development for the Engineers Office and Planning Commission Office to see the need of another employee. John Norris stated he would make same available.

Meeting adjourned at 5:15 p.m.

J. Wilmer Bowles 3/13/73
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President