

September 16, 1968

Present: F. Elliott Burch
J. Wilmer Bowles
George R. Aud

Meeting convened at 10:00 a.m.

Watershed

Mr. Pantaleo, George S. Wheeler, David K. Bowen, SCS, College Park, Maryland, John W. Hall, SCS, Leonardtown, J. M. Millstone, Department of Public Improvements, Baltimore; George B. Shields and Guy Rogers, Game and Inland Fish Commission.

General discussion concerning the proposed watershed, and Mr. Bowen stated there are 250 acres for the lake, and 475.8 acres will be taken in fee simple. Cost estimate for the land originally developed by the local people was \$84,000. Regular survey fees are \$5,460, so approximately \$90,000 would be the cost of acquiring the land, and \$72,000 for the lake, the non-federal share of the construction cost to add the extra amount of water. At the last meeting a proposition was made to the effect that the county would put up a certain amount of money, \$100,000, and let the Game and Inland Fish Commission acquire the land because it is geared to do this. This was also presented to the Department of Forests and Parks, and they had agreed to this. The figure there was \$150,000, and this included basic facilities and the land around it. Mr. Ellis verbally agreed to the condition of acquiring the land, and the county would appropriate the \$150,000.

Mr. Shields said that on the flood plan easement, in order to proceed with this, the first thing we should do is to get an appraisal of the land and determine what we are talking about in actual money. It might be a good thing to get several people to appraise the land to get a more accurate figure. Mr. Hall said that one of the surveyors gave a bid for the survey services and it was within a few dollars of the amount stated. Mr. Millstone said they could get a contract for the entire acreage, and then this would have to be broken down for the individual properties. He feels that the \$5,000 figure is very low and that it will cost more than this. Mr. Shields mentioned that there are approximately 12 property owners concerned. We will have to decide how we are going to do this. If we go through the state procedure we have to obtain two appraisals on each particular site that is purchased, and the appraisers submit it to the department and they will in turn take these appraisals to the board of public works for approval after the county signs an option. He feels he should go back and seek final approval of his commission to have the appraisal made and then we will know what we are talking about money-wise. He expressed some concern for the \$500 per acre paid for the one site purchased by the state. He feels we should mark this out on a map and get an official appraisal. Mr. Millstone pointed out that the surveys will have to be made so that the appraisers will know what they are appraising. Average cost for surveying is \$15-20 per acre, and the appraisal cost is \$25.00 per acre.

Mr. Bowen said that it will be sometime before we actually have an active project and if a plan could be formed now, and be approved, money can be borrowed from the government to pay the costs. This could be put before the next session of congress for funds. If we can agree on the value of the land, and participation, this can be put into a plan and this can be presented to congress.

Mr. Burch said he thought it was agreed that the Commissioners would put up \$100,000 and these agencies would take this project from there. Mr. Shields said he is concerned about the appraisals, and Mr. Bowen stated that if this project is given top priority, it would take one year to let a contract. The dept. of Forests and Parks would be in a position to build their structure first, so this would place the Game and Inland Fish project in 1972.

Mr. Pantaleo pointed out that boundaries will not have to be set for the area that will be under water, and this will lessen the cost. The only plats that will be required will be on the property that is above water.

Mr. Shields said that the area would probably be in use by Sept. 1971. This is based on congress appropriating the money in the shortest possible time, and if everything goes smoothly. He said they have the money if the commission will authorize it. We mentioned that we must bear in mind that if the war in Vietnam is expanded, all of the projects may be cut by congress. Mr. Shields said that assuming that his commission accepts this and gives the county a "yes" that they will go ahead with this, would the county be agreeable to a stipulation that if there would be a big cost influx, would the county be receptive to reconsidering the sum of money advanced? If the cost went from \$100 to \$150,000, would the county be willing to put up this amount of money? This is something that should be given some thought.

Mr. Hall said he has not heard anything about any property having to be condemned. There is one property where they will be taking approximately the entire property, owned by Mr. Coppage. He feels that we should take all of this land. He suggested that some of the local people should accompany the state man when he contacts the people about buying the property.

Mr. Shields said that \$200 per acre was the original appraisal, and now they are down to \$175 per acre for the 525 acres. Mr. Wheeler said that the actual figure for land acquisition is \$95,000. Mr. Hall also mentioned that the paper company has the largest property and they have indicated that they might sell or give it to the county if it was not zoned, so they could not develop and get something out of it, such as 4 or 5 acre sites for houses. The other owners have not given any concrete answer as to whether or not they will sell for this price. Mr. Shields is of the opinion that we should not talk \$200 per acre, because then people will expect this. Mr. Rogers stated that the \$200 figure should be the maximum. Mr. Hall said that he had heard that one appraisal had been made in the area for \$125 per acre, and Mr. Rogers said he felt this was a more reasonable figure.

Mr. Burch suggested that if the committee could approach some of these people and let them know what the benefits will be, it might be easier to acquire the land, and some of the property owners are on the committee.

Mr. Shields said he will recommend to his commission Friday that it accept the county's proposition, and if they do, he will so advise the Commissioners. He also recommends that if this land cost is very high, there will have to be a provision to void project. His department will take title to the property if the Commissioners want this, and they will operate the lake for public fishing. If the land costs are less than expected, this will be worked out, as his department does not want the money.

Mr. Shields was asked if the members of the local committee could try to see what the land could be bought for, or does he want them to stay out of the picture. He said that the county could take the options on the property and then turn this over to the department. Mr. Millstone said they will be happy to take a deed from the county if the county can acquire the land at less cost. Standard option form was presented to Mr. Bowen for his review. Mr. Shields and Mr. Millstone said they are agreeable to the local people approaching the property owners about purchasing the land.

Mr. Shields said that the Commissioners would hear from him the first of next week, after his meeting with his commission.

The Colony

Mr. David Gruber, Mr. L. Etzler, Mr. Pantaleo, Mr. O. Guyther. Reviewed letter from the Metropolitan Commission recommending that the Commissioners approve establishing PineyPoint and Queentree sanitary districts. Regarding the latter, Mr. Gruber suggested that these people be informed that there will not be a sanitary district established and they should proceed, but that the county will require, among other things, placement of a bond before construction of the plant is begun. If the bond is placed, then the money is guaranteed for the construction of the plant, and if this is put in writing at the beginning, there will be no misunderstanding later on.

Mr. Etzler suggested that when the developers actually get the rates set with the Public Service Commission, they could charge a certain amount per lot per year, then the lot buyer would be aware that his lot is going to cost him a given amount of money for front foot costs whether he builds on it or not. Without the supervision of the Metropolitan Commission, the State Health Department would have to supervise it.

Mr. Guyther advised that he is against the county involvement in such things. He does not feel that the Commissioners have anything to do with this and would hate to see other future developers have to go through what the Colony Developers are going through. First, the Commissioners are not qualified to tell these people how to build a plant, and secondly, if the Commissioners hire professional help to

tell the developers what to build, then they will also have to hire someone to see that it is maintained properly. He does not feel that the government has the right to tell a developer what to do. If the Commissioners do not approve a sanitary district at Queentree, they should no longer have anything to do with this.

Mr. Etzler disagreed and said he feels that the Commissioners should be involved because these people have agreed to upgrade their requirements over and above what is required in our regulations. What they want to know now is if a sanitary district will be established, or are they to design their own system and have this approved by the State Health Department. Apparently, the State Health Department has said they will not consider this until they find out whether or not there is going to be a sanitary district established in the area.

Mr. Guyther pointed that the Colony developers have never presented a plat to the Planning and Zoning Commission for approval, not even to date. The Commissioners can tell them to take this to the Planning and Zoning to be worked out and this is what should be done.

Mr. Gruber stated that it seems that Mr. Guyther and Mr. Williams feel that the Commissioners do not have the legal authority to interfere in this project, so far as water and sewage facilities are concerned, and that Planning and Zoning has this authority. Mr. Guyther said that the Commissioners must decide whether or not they want to get involved and stay involved in view of the fact that these developers have come to them instead of going to the Planning and Zoning Commission.

Mr. Pantaleo said that he could advise the developers and Planning and Zoning what the agreements would be and require that they put on the plat. Mr. Etzler said that this should be put on paper and signed by all parties concerned and very clearly spelled out. Any agreement should be put on record, so that it could be checked in later years if this is necessary.

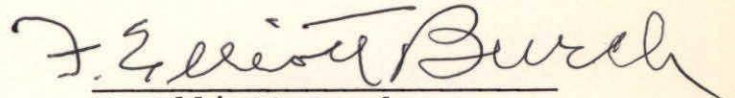
Mr. Guyther pointed out that Planning and Zoning does not have to accept the minimum regulations as written in the regulations, but can insist on higher standards if they so desire. Mr. Gruber recommends spelling out the exact manner of transfer of the plant, etc. in any agreement. Might indicate that the Commissioners have discussed this with Planning and Zoning as their attorney advised them this was under that commission's jurisdiction. State also that the developers have agreed to turn the plat over to the Metropolitan Commission for the sum of one dollar, and that Planning and Zoning will require a bond to cover construction of the sewage plant. Actually, the agreement should be with Planning and Zoning rather than the Commissioners. In any case, the Commissioners will have to decide to what extent they wish to be involved to the extent that they will be protecting the best interests of the county. Mr. Pantaleo pointed that the Commissioners have the right to engage a consulting engineer to review the plans and supervise the construction of the plant at the developers expense.

There was further discussion about an agreement with the Colony

Development and it was agreed that the Commissioners attorney should first advise if the Commissioners are acting within their legal authority to do this.

Meeting adjourned at 5:10 p.m.

Approved,



F. Elliott Burch
F. Elliott Burch
President