

County Commissioners MeetingTuesday, March 24, 1970

Present: F. Elliott Burch, President
 George R. Aud, Commissioner
 David M. Williams, County Attorney

Paul R. Raley, Administrative Assistant
 Helen M. Bailey (Mrs.), Admin. Asst. (Recording)

Commissioner J. Wilmer Bowles was attending an Emergency Legislative meeting in Annapolis -- Maryland Association of Counties.

The meeting was called to order at 9:45 a.m.

The minutes of the previous meeting held on March 10, 1970 were not read, due to Mr. Bowles' absence.

Payments Approved

\$310.85 to Guy Motors for damages incurred by James W. Hill on his 1969 Chevrolet, as evidenced by a repair estimate from Guy Motors dated February 26, 1970.

\$352.45 to the State Roads Commission for construction and inspection costs by SRC personnel, St. Andrews Church Road, month of January, 1970.

\$150.00 fees to Walter B. Dorsey, attorney for Thomas M. Spears, on petty larceny charges; \$50.00 in fees on an assault charge.

\$250.00 in fees to Walter B. Dorsey, Attorney, in defense for Frederick Douglas Milburn.

Sheriff re Merit System for Deputies

Messrs. W. S. Donaldson and B. Harris Sterling were present.

The Sheriff appeared to obtain a decision from the County Commissioners regarding the request to include the Deputy Sheriffs into the County Merit System. The Sheriff stated that

Senate Bill 799 which was introduced by Senator Paul J. Bailey required that the County Commissioners shall make suitable provision for competitive examinations and for notice of vacancies in the Classified Service. The Sheriff stated that Senator Bailey was agreeable to amending the bill to blanket the men into the County Merit System without the requirement of examination and that was what he would like to have done, if it were agreeable to the County Commissioners. The Sheriff reiterated that all he was asking for was a decision as to the Commissioners feelings in the matter; and if the decision was in the affirmative, he needed to know if the Commissioners preferred to have the men take examinations, or be blanketed into the system. Mr. Burch indicated that since Mr. Bowles was not present to participate in the decision, he would prefer to wait until Mr. Bowles could be reached and consulted. It was left that a decision would be forthcoming and handed to the Sheriff just as soon as the three Commissioners discussed and decided the matter.

(Insertion for the record of decision taken on
March 27, 1970.) 1st paragraph of letter to the Sheriff.

"The purpose of this letter is to advise you that the Board of County Commissioners has no objection to legislation which authorizes the County Commissioners, at their discretion, to place the Sheriff's Department under the County Merit System, either by examination, or by blanketing the existing Deputies in, provided, however, the legislation is permissive and specifically excludes the positions of Sheriff and Chief Deputy".

The foregoing decision was agreed to by Messrs. Bowles and Burch. Mr. Aud abstained.

Youth NAACP Demonstration

The Sheriff reported that the demonstration by the Youth NAACP which was supposed to have been held in St. Mary's County on Good Friday, March 27, 1970 would probably not occur. The Sheriff had been in touch with the youth, Frederick Somerville, who was in to apply for a permit to demonstrate in St. Mary's County. Mr. Somerville had advised that representatives from seven counties were going to be bussed into St. Mary's to participate in this demonstration. Investigation revealed that there was no real basis for the permit to demonstrate, or that perhaps it had been cancelled or postponed. The appropriate law enforcement officers and other responsible officials in local government were duly informed.

With regard to possible incitation by VISTA representatives, the Sheriff stated that Congressman Rogers C. B. Morton was working with the appropriate offices in Washington, D.C. in an attempt to overcome any problems which may exist or contribute to unrest.

White Cane Week

Messrs. T. Bradburn, Jack Candella and Jack Kershaw of the Lions Clubs appeared to present the County Commissioners with "White Cane" lapel pins in recognition of the Lions Clubs effort to promote good works in support of sight conservation in glasses, eye clinic work, Lions Eye Bank, detection and prevention of glaucoma, eye research, and the Lions Blind School. With Mr. Raley standing in for Mr. Bowles, the Commissioners were photographed as a group and were presented with the lapel pins. Proclamation 70-5, designating March 27, through April 4, 1970 as WHITE CANE WEEK, was signed and presented to the representatives of the Lions Clubs.

Victor Cherbonnier vs. St. Mary's City Commission

Mr. Oliver Guyther appeared with Mr. Victor Cherbonnier to discuss the rights-of-way and easements on Route 5, running west to the Father Andrew White Memorial site, which is a publicly-dedicated road. Mr. Cherbonnier stated that the survey done by J. R. McCrone, Inc., Engineer, is crooked and wrong, between 30 and 40 feet off, and that the Memorial is incorrectly located on the plat. Mr. Cherbonnier was asking for a deed for 1/2 of the old road bed that adjoins the southerly side of the new road, and that the water problem on the northerly side of the new road be corrected to the extent that water can run off -- either fill in the land or lower the pipe so that stagnant water can run off.

Mr. Williams, County Attorney, suggested that if a plat were prepared placing the land lines to the satisfaction of all concerned and if all owners signed, consenting to the boundary lines thereon, that the necessary legal papers could be prepared, recorded, and the problem solved.

Mr. Burch said that he thought this would be satisfactory, provided none of the property owners were land-locked from egress or ingress to Route 5.

Mr. Cherbonnier expressed his concern because the St. Mary's City Commission (General Hogaboom) had not put up a fence, and stated further that there was no money available for erecting the fence. Mr. Cherbonnier stated that he could prevent access to the property, but did not seem willing to effect a rearrangement of boundary lines simultaneously, preferring to progress by steps.

Mr. Guyther counseled Mr. Cherbonnier that Mr. Williams' suggestion was the appropriate course of action and that if all parties were acting in good faith, the simultaneous action should not be objectionable. Mr. Burch suggested that Mr. Cherbonnier confer with General Hogaboom of the St. Mary's City Commission and with J. R. McCrone, Inc., get the boundary lines settled to their mutual satisfaction, and proceed from there.

When Mr. Cherbonnier departed, he left the impression that he might prefer to go through the Circuit Court in this matter.

Drug Abuse

Dr. Alan D. Houser, Department of Health, appeared to brief the Commissioners on increased drug abuse by teen-agers in St. Mary's County. He stated that he felt he should call attention to the situation since he has some evidence that the drug problem in this county does not quite yet deserve to be called critical -- but it is very close to it. The doctors are beginning to see more addicts in the Health Clinics and some are being observed in private practice. Dr. Houser stated that he thought we should keep in mind that we may have to suddenly institute some sort of program in the County. An emergency meeting of the School Health Council has been called at the request of the Board of Education regarding this question. Dr. Houser stated there is a combination of problems, and that the educators are going to have to teach the youngsters, starting in the first grade, the dangers of drug abuse, and anything beyond that in the way of instruction should probably be under the aegis of the medical profession. If the medical profession is not pretty much involved, all programs may "flop". Special programs should be in the Department of Health.

Dr. Houser stated that special grants are available from the Department of Mental Hygiene, and that they already have a grant for alcoholism, and that a grant has been requested for drug abuse control. Dr. Houser said that the County would probably not be involved in funding any of the program, but that the Commissioners support would be needed.

Mr. Aud mentioned that he knew petty larceny was on the increase due to the demands of the "habits" and that the breaking and entering incidents in the Lexington Park area were mostly accomplished by youths. Mr. Aud said there was no question in his mind about the existing drug abuse, he had observed it.

Dr. Houser stated that we almost had the second death in 1970 due to an over-dose -- an eighteen-year-old, who is now in the Mental Health Clinic. Dr. Houser reiterated the seriousness of the situation and promised that he would keep the Commissioners apprised of developments.

State Roads Commission Meeting

St. Andrews Church Road

Mr. Allen Tate, District Engineer, Mr. Douglas Bond, Resident Engineer, Mr. August H. Wagener, County Engineer, Mr. Robert Troutman, Dean and Beavers Construction Co., appeared to discuss the Dean and Beavers claim for "tamped fill" allowance on St. Andrews Church Road. It is the State Roads contention that the claim of some \$42,000 is not warranted in full, but that they should be reimbursed for any tamped fill placed under pipe culverts where old pipe culverts were removed. It is the contention of Dean and Beavers that the specifications were unclear and that they underbid, probably because this contingent item was left out of the description of work.

The discussion led to an indication for compromise. Mr. Tate suggested that Dean and Beavers request a semi-final payment, which they agreed to do. Another meeting will be held to negotiate the settlement.

Carroll Morgan Road - Holly Gaf Acres

Messrs. Burch and Aud requested Mr. Douglas Bond to begin maintenance on Carroll Morgan Road.

Patuxent Heights (formerly known as Carver Heights)

Mr. Bond reported that the roads in the sub-division were now up to standard. Messrs. Aud and Burch voted to accept them into the County Road System.

Bar Association re Courthouse

Messrs. Alec Loker, Clarke Raley and Joseph A. Mattingly, A Committee from the Bar Association, appeared before the County Commissioners to make recommendations concerning space management for County officials in the Courthouse proper. Mr. Loker

stated that it seemed to him that to add onto this Courthouse in order to provide some needed space for Court work is going at it in the wrong direction. Mr. Loker stated that it seemed a shame to take up valuable land with just a basement used for office space and that we should add two stories of offices over the Emergency Operations Center which presently houses the Maryland State Police and the Office of Civil Defense. The inference was that the Courthouse should be used only for court-related offices and that agencies should be relocated to either a new building over the EOC, or building down at the Fair Grounds. He suggested that perhaps the Board of Education and the Health Department could be moved out of their building and that the Office of Finance, Assessors' Office, Treasurer, and County Commissioners could move in there.

Mr. Mattingly concurred with Mr. Loker's statements and stated further that in his opinion it would be no more expensive to build on top of the EOC than to make an addition to the Courthouse.

Mr. Clarke Raley assured the Commissioners that the Bar Association did not want to appear contentious about this matter. The Bar Association is just interested in preventing a situation of "growing like topsy" over the next 20/30 years and that their consensus was that perhaps we were doing just that. Mr. Raley thought perhaps a longer-range type plan should be considered.

Mr. Burch stated that he thought there was nothing we can do anyway for lack of authorized funding. He stated that the County Commissioners were concerned with trying to re-allocate and provide more space in the Courthouse at a minimum cost. Mr. Burch stated that he was in favor of a complete study of local Government buildings, the type of Government we have and how it could be improved, and thought a Committee of about fifteen people, with appropriate sub-committees, should be appointed to thoroughly investigate these matters and produce a report.

Mr. Mattingly said that he knew the Bar Association would be happy to cooperate in such a venture.

Airport

Approval of equipment rental lease between the Humble Oil Company and the Professional Flight Service, Inc., involving installation of their equipment at the airport was submitted

to the Board of County Commissioners for approval and approval was granted by consent and signature thereon, which is part of the lease arrangement. The approval was signed by F. Elliott Burch, President of the Board of County Commissioners.

Mobile Home Parks

Mr. Oliver Guyther appeared with a proposal for a mobile home park submitted by John W. Yerkie, Clinton, Maryland. The site is in the 5th District, East of Route 5, on the Benjamin Asher property, opposite the Starlite Club. Mr. Guyther said that Mr. Yerkie wished to purchase the land for the mobile home park, but not until he could have assurances that the park would be approved.

Messrs. Aud and Burch advised Mr. Guyther that it might be difficult to obtain approval for this project at the present time because of the numerous agency approvals which are necessary; and that the County Commissioners were seriously considering the adoption of a policy to withhold decision on any and all applications for mobile home parks until the master Planning and Zoning ordinance has been adopted and put into effect.

Mr. Guyther stated that he would so advise his client.

CATV


Mr. Guyther stated that he would obtain a profit and loss statement from Station CATV (commercial television circuit) and talk with them about their gross receipts. He stated that CATV wanted to pay their fair share of "amusement tax" to St. Mary's County. Mr. Guyther will report back on his findings re percentages and franchises for this television enterprise.

Deputy Ron Clarke Expenses - Sheriff's Department

Messrs. Aud and Burch approved living expenses for Deputy Sheriff Ron Clarke, incurred while participating in four days' special training at the FBI School in Washington, D. C.

The meeting adjourned at 5:45 p.m.

Approved,



F. Elliott Burch
President