

Board of County Commissioners' Meeting

Tuesday, December 1, 1970

Present: F. Elliott Burch, President  
 J. Wilmer Bowles, Commissioner  
 George R. Aud, Commissioner  
 J. S. Guy, Jr., Commissioner-Elect  
 Robert E. Wigginton, County Attorney  
 B. Harris Sterling, Director of Finance  
 Paul R. Raley, Administrative Assistant  
 Helen M. Bailey (Mrs.), Admin. Asst. (Recording)

The meeting was called to order at 9:40 a.m.

The minutes of the previous meeting which was held on November 24, 1970 were not read.

Planning and Zoning Ordinance

Mr. Chauncey W. Karstens was present as an observer during the morning session and for the Roads Meeting in the afternoon.

Mr. Karstens stated that he would like to see the new zoning maps dated and signed by the Board of County Commissioners and that the new Planning and Zoning Ordinance should refer specifically to these maps at the time of enactment, so that both could be tied together as an integral package. Otherwise, Mr. Karstens feels that it is a pretty good ordinance; once you have the next Hearing and the ordinance is adopted, per se, then the County can go ahead through regular procedures to make the necessary changes, which machinery, as it is set forth, would require public hearings for making additional and future changes.

Dukehart Creek

Mr. Albert J. Focer, of Lorenzi, Dodds and Gunnill, appeared to describe the most recent survey line established by him in Dukehart Creek and stated that his survey conformed with the survey performed by the Department of Chesapeake Bay Affairs. This center line goes through the marshland which has built up on Lot #4 on the island which is owned by the Toombs heirs and Mrs. Corinne Munchmeyer. It was agreed that the County Attorney, Mr. Robert E. Wigginton, would approach the owners with a fair offer purchase of Lot #4, so that plans for the dredging can be completed with the CBA. If it is not possible to make a reasonable purchase, the Board of County Commissioners will consider the possibility of instituting condemnation proceedings, or an alternate route.

Payments Approved

Tri-County Council for Southern Maryland for St. Mary's County Share of funding for the Youth Services Bureau Program, check to be made payable to Charles County, who has accepted responsibility of handling the funds-----\$13,000.00

Tall Timbers Shore Erosion Project

Delahay's Pile Driving Service, Week Nov. 23-27--1,705.00

St. Mary's County Airport

Edward W. Schindler, Electrical Contractor, for work performed on rotating beacon light-----64.00

Department of Social ServicesClaim for \$4,116.00 on Assessable Property Amounts

Mr. Joseph D. Carter, Director, Department of Social Services, appeared to present a claim of \$4,116.00 against St. Mary's County for the fiscal years beginning July 1, 1966, 1967, and 1968. The Department of Social Services alleges that comparison of reported amounts to those recorded in the tax records of St. Mary's County and those as of January 1, preceding each fiscal year beginning July 1 as published in the biennial report of the Maryland State Department of Assessments and Taxation indicated additional local appropriation requirements under the 10¢ per \$100.00 assessable property limit for funding expenditures. In determining the understatements, the Department of Social Services stated that they have used the assessable property amounts published by the Maryland State Department of Assessments and Taxation.

The Director of Finance, Mr. B. Harris Sterling, explained that the computations of his office indicated that St. Mary's County is only indebted to the amount of \$709.74 and that this calculation is based on actual assessment figures after adjustments -- in particular, Center Gardens -- whereas the State of Maryland computations were based on 1/2-year estimated figures. Mr. Sterling indicated that he would be happy to attempt a reconciliation with the Department of Social Services and the State based on actual assessment figures, rather than estimated figures on an arbitrary cut-off date.

Department of Social Services  
Petitions for Non-Support

The County Attorney, Mr. Robert E. Wigginton, brought up the subject of procedures used in petitions for non-support and indicated that discussions were needed with the Department of Social Services and the States Attorney's Office to

resolve the matter. Mr. Wigginton stated that the County Attorney should be relieved of involvement under the provisions as made in Art. 89C, paragraphs 12 and 14 (b):

"12. The State's Attorney of Baltimore City and of the various counties, upon the request of the Court or the State Department of Social Services, shall represent the obligee in any proceeding under this article."

"14 (b). Counsel when petitioner without funds. -- In the event the petitioner makes oath that she is without sufficient funds to obtain personal counsel, it shall be the duty of the counsel to the County Commissioners to act without charge to the petitioner on her behalf; provided, however, that in Anne Arundel County, Baltimore City, Baltimore County, Harford County, Howard County, Wicomico and Worcester counties, the State's attorney shall act as the petitioner's counsel in such instance."

Mr. Joseph D. Carter mentioned that there was another problem; i.e., that is the matter of property claims against estates, which have been accumulating over the past ten years.

The Board of County Commissioners requested that Mr. Robert E. Wigginton and Mr. Joseph D. Carter work, in consort with the State's Attorney, in an effort to solve the problem.

#### Roads Meeting

Mr. Burch requested that the signs on St. Andrews Church road be inspected and replaced, as necessary.

Mr. J. S. Guy, Jr. requested that the sign at the junction of Routes 234 and 242 in Clements be relocated to obviate a blind spot. He stated that cars coming down the hill have the most difficulty.

Mr. Aud reported that Mr. James W. Henderson, Sr. has a ditch problem in Town Creek.

Mr. Aud reported that Hugh Allston has a problem on Carroll Morgan (Holly-Gaf) road and that he would like to accompany Messrs. Bond and Wagener on their inspection of it.

Mr. Aud reported that Mr. Chauncey Karstens had requested that the pot holes and broken shoulders on Joy Chapel Road be repaired -- also Nally Road.

Mr. Aud reported that Langley Road needs attention -- a pipe under the road is showing through and gravel is needed.

Mr. Burch reported that there is a large pot hole in the Clarke's Landing Road on the left side right near the Burch Oil Company.

Resurfacing of Chaptico/Mechanicsville Road and Chancellor's Run Road

Mr. F. Elliott Burch, President, signed a letter to the State Roads Commission, Mr. E. J. Gerczak, Assistant Comptroller forwarding \$106,168.00 to establish the fund to be administered by the State Roads Commission for the resurfacing of Chaptico/Mechanicsville Road by Arundel Asphalt Products, P. O. Box 278, Lanham, Maryland 20801, Contract No. SM 610X-517; and Chancellor's Run Road by Dean and Beavers, Contract No. SM 611X-517. By telephonic information from Messrs. Gerczak, and Mr. Allan W. Tate, District Engineer, the Board was informed that the resurfacing of these roads will be supervised and administered by the State Roads Commission at the rate charge of 12% for overhead and 3% for inspection. Requisitions for payment will be directed through this Office to the State Roads Commission for payment. The bids were awarded, by letter of this date, to Arundel Asphalt Products for the resurfacing of the Chaptico/Mechanicsville Road in the amount of \$53,568.80 and to Dean and Beavers for Chancellor's Run Road in the amount of \$38,852.00. The 15% rate charges were included in the amount of the check which was forwarded to the State Roads Commission.

Society Hill

Mr. Burch reported that Mr. Kenny Wathen has a problem in Society Hill at his residence which needs inspection by the County Commissioners. Mr. Bond stated that he had informed Mr. Wathen that he could put a black-top swale between his lot and the adjoining lot to alleviate the drainage problem, and use a grader and seed the sides of the swale in grass. The Board of County Commissioners left the meeting in company and joined with Messrs. Wathen, Wagener and Bond to inspect the property. It was agreed that Mr. Peter Breck's permission would be sought to allow the State Roads Commission to construct an appropriate swale.

Oakland Acres, 5th District

Mr. Paul R. Raley presented a deed and a plat and a request from Mr. Robert E. Fastnaught, Jr. for taking the roads in Oakland Acres, 5th Election District, into the County System. Since the original request and inspection

was made in 1967, the Board of County Commissioners requested that the County Engineer and the Resident Engineer of the State Roads Commission perform another inspection before a decision is made.

Parochial School Bus Transportation  
New Contracts and Pay Scale

Messrs. B. Harris Sterling and Paul R. Raley presented their computations for payments to the Parochial School Bus Contractors, which computations are based on the formula used by the Board of Education.

Each contractor has submitted an up-dated mileage computation and the necessary information and factors to be included in revising the pay schedule, which include size and type of vehicle used, gas, oil and tire factors, depreciation and actual hours worked.

The Board reviewed the figures and method of arriving at the figures in detail and requested Mr. Sterling to consult with contractors on the adjustments. The Board also requested that the mileage factors in some cases be checked in order to substantiate the claims of those contractors whose increases are substantial.

Salary -- August H. Wagener, County Engineer

The Board of County Commissioners advised Mr. August H. Wagener that they were prepared to sign a one-year contract with him, with a sixty-day mutual cancellation clause, for his services at the rate of \$16,380 per year, to become effective January 1, 1971. The amount of \$16,380 was reached by increasing the rate of \$15,600 per year (\$300 per week) by 5%, which was the increase granted to other County employees in this salary range on September 1, 1970.

Mr. Wagener accepted this arrangement, but with the provision that he be granted two-weeks' vacation. No decision was reached on the inclusive dates of this vacation period.

Salary -- Mr. Otis F. Wood, Acting Director,  
Office of Civil Defense

Mr. Aud motioned, Mr. Bowles seconded, and it was carried to place Mr. Otis F. Wood's salary in Grade 11. Mr. Burch signed a letter to General Rinaldo Van Brunt, Director of the Maryland Office of Civil Defense and Emergency Planning to this effect, copy of which has been placed in Mr. Wood's personnel file.

Salary -- Joseph Henry Thompson, Laborer

The Board of County Commissioners unanimously agreed to increase Mr. Thompson's salary from \$2.00 per hour to \$2.50 per hour. It was also agreed that Mr. Thompson would receive time and one-half pay for overtime and that Holiday work for this employee be discouraged.

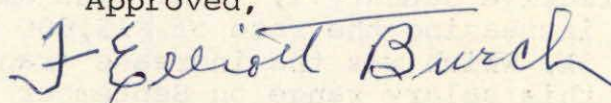
Salaries -- Chief Deputy Sheriff and Deputy Sheriffs

The Board of County Commissioners unanimously voted to adopt Salary Grade No. 9 for the incoming Chief Deputy Sheriff, George DeLozier, to become effective date of assuming office; and Salary Grade No. 7 for all new Deputy Sheriffs, to become effective date of assuming office. The placement of the Chief Deputy Sheriff in Grade 9 and the Deputy Sheriffs in Grade 7 is based on the recommendation received from the State Commissioner of Personnel under dated of July 23, 1970 after evaluation of job descriptions which were submitted by the Director of Finance on May 27, 1970.

Effective July 1, 1971, the Sheriff's Department will be placed in the St. Mary's County Salary Scale system for the purpose of standardizing rates of pay, as set forth above, and all incumbent Deputy Sheriffs' salaries will be allocated at the appropriate grade step for longevity purposes by the Director of Finance. The Board requested that appropriate letters of advice be prepared for Sheriff Burroughs and each deputy, with copies to the Sheriff-elect.

The meeting adjourned at 7:05 p.m.

Approved,



F. Elliott Burch  
President