

Board of County Commissioners' MeetingTuesday, December 8, 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  
 W. S. Donaldson, Office of Finance  
 Paul R. Raley, Administrative Assistant  
 Helen M. Bailey (Mrs.), Admin. Asst. (Recording)

Salaries for Sheriff's Department

The meeting came to order at 9:30 a.m., the first item of business being a full discussion of the County Pay Scale to be adopted for the Sheriff's Department. The Board of County Commissioners reaffirmed their intentions to make the salary adjustments effective July 1, 1971. Sheriff Burroughs and Sheriff-Elect Larry Williams joined the meeting and Mr. W. Stanley Donaldson explained the new salary plan to both gentlemen who agreed that, in their individual opinions, it was a very fair plan. Sheriff Burroughs and Sheriff-Elect Larry Williams were advised by the Board that each Deputy Sheriff would be advised in writing of his appropriate grade step for longevity purposes, that appropriate letters of advice would be prepared for Sheriff Burroughs and the Sheriff-Elect, and that a press release would also be prepared for distribution on December 15, 1970.

John P. (Jack) Rue and Albert J. Focer (Lorenzi, Dodds & Gunnill)

Messrs. Rue and Focer were present to discuss the possibility of the County purchasing 29.272 acres of land off Route 5 south of Leonardtown. Mr. Focer went over the topographic survey which he had conducted and appraisals from Oliver R. Guyther, and Henry T. Waring were reviewed. Mr. Robert E. Wigginton, County Attorney, advised the Board of County Commissioners that in his opinion, the County did not have the authority to purchase the land without special legislation, and Mr. Rue was so advised.

Dukehart Creek

Mr. Robert E. Wigginton read a letter dated December 3, 1970 from Alfred L. Toombs, Jr. of New York which stated that the heirs wished to be compensated for the loss of any land taken, but which letter did not set forth an acceptable price. Mr. Toombs also sent in a plat which outlined two alternate routes (A&B) which would be acceptable to the Toombs' family. The Board of County Commissioners requested Mr. Wigginton to pursue the issue of price and to determine from CBA the feasibility of adopting either of the alternates proposed by Mr. Toombs.

Mr. Dick Myers of WKIK and Mr. Jack Kershaw of THE ENTERPRISE joined the meeting.

Mr. James P. Shea, Thomas B. Bourne Division of  
Henningson Durham and Richardson

Mr. James P. Shea appeared at the request of the Board of County Commissioners to discuss the possibility of his firm submitting a proposal for a feasibility study of the shore erosion problems from Point Lookout north to and including Scotland Beach. Mr. Shea stated that he would be personally interested in devoting a lot of time to such a proposal and that he would expedite the development of a proposal to accommodate the County's needs in this regard prior to January 1, 1971. At the present time, the Department of Chesapeake Bay Affairs has allocated \$5,000 toward such a study, which must be used prior to the first of the year. Mr. Shea and Mr. Paul R. Raley left the meeting to go over the requirements in detail.

District Court System

Mr. Robert E. Wigginton, the County Attorney, briefed the Board of County Commissioners et al on the District Court Bill which was accepted by the voters, on referendum, at the last election. Effective July 1, 1971, the Trial Magistrate's Court System will be replaced by a District Court System, state-wide, with supervision and funding chargeable to the State. There will be a District Judge for Charles, Calvert and St. Mary's County and each County will have a District Judge. The Judges shall be appointed by the Governor. The Counties will be relieved of any responsibility. The Clerks will become Deputy Clerks of the District Courts and will probably go under the State Merit System. It will be up to the State to provide the District Courts with Courtroom and Office space. Judges in the District Court system will serve on a full-time basis, with no conflict of interest.

Land Acquisition Policy  
Department of Recreation and Parks

The Board of County Commissioners unanimously voted to approve a Land Acquisition Policy Statement which is required under Section 402 of the Housing and Urban Development Act of 1965, requiring that, as a condition, eligibility for assistance under the Open Space Land Program, the applicant must satisfy the Department that it will follow certain prescribed acquisition policies. The Board requested that such a Resolution be prepared for signature and presented at the next regular meeting.

### Oakville Sanitary Landfill

Upon recommendation from Commissioner J. Wilmer Bowles, the Board of County Commissioners requested that the three principal commercial trash haulers appear at the next regular meeting for the purpose of discussing in detail the proposed operations of the Landfill, and specifically the questions of fees and licenses. Mr. Bowles stated that the Board should encourage small organizations to go into the trash-hauling business, to increase competition, and charge lower fees in order to protect the home owners and the public.

### Environmental Planning -- Extension Service Program

Mr. Dan Donnelly and Miss Hope Martin of the St. Mary's County Extension Service appeared to explain that they had requested and obtained a grant in the amount of \$1,000 from the Rodale Press for the purpose of establishing an Environmental Planning Program in St. Mary's. Mr. Donnelly further requested that, if the Board was in agreement with such a program, that a letter of endorsement from the Commissioners would strengthen the plan. The first stage of their plan is to conduct a public opinion survey; the second stage would be to set up a Task Force which would define what our most urgent environmental problems are; and the third stage, of course, would be instrumentation of a program, based on adequate goals and funding. The Board of County Commissioners unanimously agreed that they would support this program and requested that a letter of endorsement for it be presented for signature at the next regular meeting.

### Roads Meeting

Present: J. Dennis Raley, Jr., J. Douglas Bond and August H. Wagener, County Engineer

The Board of County Commissioners unanimously elected to take an un-named road, off Paul Ellis Road, County #127, into the County System for maintenance. Subject road will have a 40-foot right-of-way to be deeded to the County by Mrs. Mary Evelyn Raley and will run from the north side of Paul Ellis Road for a distance of approximately 1,600 feet.

### Cab for County Bulldozer

Mr. J. Dennis Raley, Jr. outlined the need for the installation of a cab on the County Bulldozer and stated that it was specifically needed in the winter during storms when it is used for snow removal and also for employee protection when it is used in clearing burning debris at the Public Trash Disposal Areas. Mr. Raley was requested to obtain a price from the Caterpillar Tractor Co. for review and possible approval by the Board.

Hewitt Road

Mr. Aud motioned that the State Roads Commission be reimbursed for the construction of the extension of Hewitt, Road, in the 8th Election District, in the amount of \$18,257.82. Mr. Bowles requested that he be given the opportunity to inspect the road prior to taking the subject to vote. The Board of County Commissioners, in company with the County Engineer, and J. Dennis Raley, Jr., left the meeting to inspect the road and upon their return, Mr. Burch seconded Mr. Aud's motion and it was carried by Mr. Bowles.

Clarke's Landing Boat Ramp

The petition for the closing of the Clarke's Landing Boat Ramp, submitted on October 20, 1970, by a group of residents of that area was read and reviewed by the Board of County Commissioners. The County Engineer was requested to investigate the deed to determine whether the County had ownership and riparian rights. Mr. Burch recommended that the landing be closed.

Road Off Hatchet Thicket Road, 7th Election District

Commissioner J. Wilmer Bowles motioned, Mr. Aud seconded and it was carried to accept 534 feet of road, and 40 feet of right-of-way into the County System for maintenance.

Swearing-In Ceremonies for Board of County Commissioners

At 3:42 P.M., Mrs. Dorothy Bailey Kucher, Clerk of the Circuit Court, officiated at the swearing-in ceremonies for the newly-formed Board of County Commissioners -- Messrs. J. Wilmer Bowles, George R. Aud, and J. S. Guy, Jr. Taking of the oath was completed at 3:44 p.m., at which time the Board went into executive session for the purpose of electing a President of the Board. At 5:00 p.m., Mr. Aud announced that he had been elected President of the Board for the first two years; that J. S. Guy, Jr. had been elected President of the Board for the second two years; and that J. Wilmer Bowles would serve on the Planning and Zoning Commission for the entire four years.

Mr. F. Elliott Burch expressed his pleasure and congratulations to the newly-formed Board, as well as to all Department Heads and employees of the County present, and was officially relieved by President George R. Aud.

Dr. Alan D. Houser/Walter E. Raum  
Health Department Findings on Water Pollution

Dr. Alan D. Houser stated that the purpose of their visit either required an Executive Session; or, if agreeable to the press, the discussion would be off the record. The Members of the press present agreed, upon inquiry from President George R. Aud, that they would keep the proceedings "off the record" until advised that the information was available to the public.

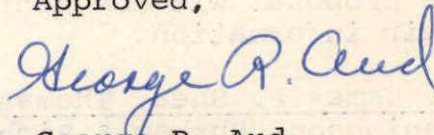
Dr. Houser described four areas of the County in which the coliform count in the waters had become of concern to the State Department of Health: Canoe Neck Creek, St. Patrick's Creek, an extension of the restricted area in Breton Bay, and in the upper reaches of St. Clement's Bay. Dr. Houser indicated that additional samplings would continue in all areas through January, but that the State Department of Health anticipated the closing of the waters in early February, 1971. Dr. Houser further stated that he would hold a press conference on this subject on Thursday morning, December 10, 1970. Dr. Houser and Mr. Raum will keep the Board of County Commissioners advised of the results of the continuing tests.

County Attorney

The motion was made and carried to continue to retain the services of Loker and Wigginton as County Attorneys.

The meeting adjourned at 5:25 p.m.

Approved,



George R. Aud  
 President