

Board of County Commissioners' MeetingTuesday, May 11, 1971

Present: George R. Aud, President
J. Wilmer Bowles, Commissioner
J. S. Guy, Jr., Commissioner
Robert E. Wigginton, County Attorney
Paul R. Raley, Administrative Officer
Cecelia B. Adams, Recording Secretary

Also attending the meeting was Mr. Chauncey Karstens.

The meeting came to order at 9:25 A.M.

The minutes of previous meetings were read and corrected.

Maryland Association of Counties-Education Committee

The Commissioners reviewed a letter from Mr. Joseph Murnane, Secretary of the Maryland Association of Counties, regarding a newly established education committee. This committee would be charged with the responsibility of examining the school financing problem to attempt to develop a program that would be acceptable to their membership and provide for a substantial increase in State support for education.

It was recommended that the Committee be composed of an elected official from each of the 24 member subdivision augmented by such technical personnel as each subdivision is able to make available to the Committee.

It was decided that Mr. George R. Aud accompanied by Mr. B. Harris Sterling, Director of Finance, would serve on this Committee. A letter to the Maryland Association of Counties will be sent notifying them of this designation of County representatives.

Mr. A. V. Cherbonnier, re: Father White Memorial Road

Mr. A. V. Cherbonnier stated that in May of 1964, the Commissioners and himself signed an agreement which is now filed among the records of St. Mary's County. He felt that the Commissioners have not lived up to their agreement. He brought this action to Court for a specific performance and the Court entered an order directing the County Commissioners to give him a property Quitclaim Deed. Judge Dorsey now informs him that the only thing he can do is to obtain a petition from the Court to see that this is done. Mr. Cherbonnier implored the Commissioners to grant him this Quitclaim Deed without having to take further action.

Mr. Robert Wigginton, County Attorney, informed Mr. Cherbonnier that he was totally unfamiliar with the problem and requested that he give him time to do some research before the Commissioners gave him an answer.

Comprehensive Water and Sewerage Plan and Related Health Problems

Attending: Mr. W. McLean Bingley, P.E., Chief of Water and Sewerage, Dr. Alan D. Houser and Mr. Walter Raum

Mr. Bingley and the representatives from the St. Mary's County Health Department, appeared before the Commissioners to offer their assistance in the revision of the Comprehensive Water and Sewerage Plan for St. Mary's County. This revision would lead to any amendments which they might wish to determine.

Mr. Bingley's office at the State Department of Health, requested that the Commissioners send their amended plans to them by June 1, because any revisions in the Plan would be approved by their office to have an effective date of July 1, 1971. Mr. Bingley reported that Mr. Beavin of the Beavin Company, was currently working on the revisions to date.

At this time, Commissioner Aud distributed copies of the County's policy regarding community sewer and water systems in S-5 and W-5 Districts. This policy listed the requirements that an applicant must comply with for the establishment of a community water and/or sewer system in a district designated as S-5 or W-5.

Mr. Bowles stated that the Commissioners have people coming to them from time to time asking for permission to establish a community water and sewerage system for a specific project within an area that would be designated as S-5 or W-5. Should the Commissioners, the Health Department or other agency give approval, it should be so designed and planned that this area could at a later date fit into the plan for the overall district.

Mr. Bingley stated that when the State Department of Health receives such an application they would write to the County Commissioners informing them that they have received this application. They would ask the Commissioners if they agree to granting the application for point of discharge for instance.

Mr. Aud stated that recently the Commissioners had been contacted by the Regal Construction Company, who were proposing to operate a privately owned commercial sanitary

landfill. They had already been given a preliminary approval from the State Health Department and subsequently the Commissioners rejected their proposal.

Mr. Wigginton stated that this meant that the Health Department had to send a representative to St. Mary's County to inspect the site, whereas, a trip could have been prevented. Mr. Bingley stated that there was a lack of communication on both of their parts.

Mr. Bingley stated that his main concern with any of the proposals they receive is that they have enough information so they know what the County intends to do. It must include pertinent data.

Mr. Bowles suggested that instead of the policy reading, "the plans and specifications must be submitted to the County Commissioners for initial approval", they read, "the proposal is to include general plans and a letter of intent". Mr. Bingley was in agreement with this change.

Mr. Guy called attention to the fact that a bond with sufficient surety to insure completion of construction of water and sewerage facilities was one of the requirements of this policy. Mr. Bingley stated that this was an important factor. As far as he was concerned, he would hope that the County would have an ultimate plan that the Metropolitan Commission will take over all of the private utilities in the County. They would then be responsible for carrying out the bonds.

Mr. Guy informed Mr. Bingley that the Master Water and Sewerage Plan does not allow for administrative procedure. Mr. Bowles was concerned with the fact that when the Health Department signs a particular plat, their signature is not a guarantee that the developer has a community sewer and water system. This is very misleading to a prospective buyer of property, who often does not realize this until his lawyer begins a title search for him. It was noted that most of the property in question was bought over a period of years and when the owner is ready to begin construction on his property, his lawyer discovers that there are no community and water and sewerage facilities.

Mr. Bowles stated that when the Health Department signs a plat for public water and sewerage, they should have in hand an approved plan for a certain number of lots. If they cannot serve the number of lots shown, then it should not be approved.

Dr. Houser suggested that the Commissioners convene as the Board of Health and adopt a strict policy to protect the citizens of the County. In his opinion, it should be more strict than the State regulations that they are currently operating under.

Mr. Raum stated that this should be done before the next regular meeting of the Planning and Zoning Commission scheduled in two weeks.

Mr. Guy suggested that a committee be designed to develop such an ordinance. It would meet on Wednesday, May 12, 1971 at 7:30 P.M. The committee was to consist of: Mr. Robert Wigginton, Dr. Alan D. Houser, Mr. Walter Raum, Mr. Chauncey Karstens and Mr. J. Wilmer Bowles as Chairman.

Mr. Bingley stated that there are various ways of interpreting the Comprehensive Water and Sewerage Plan. He suggested that the local Health Department contact the Attorney General, to arrange for him to come down to St. Mary's County to discuss the plan with them. Dr. Houser will write to the Attorney General to set up a meeting date with him.

Mr. Bowles was concerned with the persons who are involved in the business of pumping out septic tanks. He stated that these wastes are being dumped onto open land and is consequently running into streams and waterways.

Mr. Raum stated that all Septic Tank Scavenger businesses should be directed to the Pine Hill Sewerage Treatment Plant.

Mr. Bingley stated that he wanted to be of assistance to the Commissioners in any way that they could.

ROADS MEETING

Present: Mr. Aubrey Cusic and Mr. August H. Wagener

White Point Subdivision Road

The Commissioners reviewed a letter from Mr. August H. Wagener, County Engineer, regarding a road within the White Point Subdivision located in the Third Election District. Mr. Wagener felt that this road could be maintained with a minimum amount of money if the present roadbed remains as is and there are no gravel drainage ditches. The road at present, has a 30-foot right-of-way, but to meet County specifications must be 40 feet. Mr. Wagener stated that due to fences, trees and hedges, it would be a hardship to the residents to dedicate an extra 10-foot strip of land. The Commissioners will go down to perform an on-the-site inspection of this road.

Teer Road

Mr. Paul R. Raley presented a plat of a road leading off of MD Route 235, going north into the VFW Home, through the property of Mr. Ernest Teer. This road has been brought up to County specifications and the County has in hand a deed granting a 40-foot right-of-way. The County Commissioners unanimously agreed to accept

this road into the County Roads System. The name of the road is By The Mill Road.

Bushwood Wharf

Commissioner Guy informed the Commissioners that Bushwood Wharf has had several loads of gravel dumped there, but the land has continuously washed out. It was felt that possibly some of the bulkhead there should be replaced. This was originally a County project, but possibly the Chesapeake Bay Affairs will lend some assistance. Mr. Wagener was instructed to inspect the site and to report back to the Commissioners his findings.

Pratt Road

Commissioner Guy reported that he had been contacted by Mr. Lamar Taylor regarding the Pratt Road off of the Curley Road. The water is flooding Mr. Taylor's property coming from the County Road. It was felt that the County Road should be built up. Mr. Cusic will check into this problem.

Vouchers Signed

Vouchers #39428 to #39464 were signed by Commissioner Aud.

Bill Approved

J. Moakley Mattingly for backfilling bulkhead at Tall Timbers - \$643.00.

Delahay's Pile Driving Service, for work done at Tall Timbers for weeks of May 3 to May 7, 1971, \$685.00 and April 26 to April 30, 1971, \$1,965.00.

Courthouse Parking Lot

Mr. Paul R. Raley presented a drawing of the proposed parking lot addition as prepared by Dean and Beavers. After reviewing the sketch, it was found that only 18 parking spaces would be realized and valuable space could possibly be lost. The Commissioners felt that this proposal should be studied further to see what would be the best possible solution.

Switchboard Operator-Part Time

Mr. Aud reported that Mrs. Barbara Norris, the part-time Switchboard Operator, had left her job and at present there was no one available to relieve the Switchboard Operator during her lunch hour. Mr. B. Harris Sterling came into the meeting and reported that Mrs. Norris had informed him that she could no longer continue working for the sum of \$2.00 an hour.

It was felt that possibly when the Stenographer to be hired shortly for the Commissioners' Office was hired, she could

relieve the Operator for one hour a day. Mr. Sterling stated that the test had been scheduled for the Stenographer on May 15, 1971. The Commissioners instructed Mr. Sterling to hire an Operator part-time until the Stenographer could be hired.

Sediment Control Ordinance

The Commissioners reviewed the proposed Sediment Control Ordinance for St. Mary's County. In compliance with the law, a public hearing had been held on May 5, 1971 and a few minor changes had been noted. Mr. Aud made a motion that the Sediment Control Ordinance be adopted as of July 1, 1971. The Commissioners voted unanimously to adopt said Ordinance pending changes being made by the County Attorney.

Building Permit Charges

The Commissioners reviewed a letter from Mr. Jerry Colvin regarding building permit charges to Churches and non-profit organizations. Mr. Colvin felt that an exemption should be established. Mr. Robert Wigginton, County Attorney, stated that he had researched the laws of Maryland on this subject and had found that there were no exceptions to who should pay for building permits. Mr. Wigginton will write to Mr. Colvin advising him of same.

Johnsongrass Program-Agreement Signed

Mr. Aud signed an agreement for the control of Johnsongrass in St. Mary's County. This agreement between the Maryland State Board of Agriculture and the County Commissioners provides that the Board of Agriculture will expend up to \$5,000 during the fiscal year 1971-72 for the control and eradication of johnsongrass in St. Mary's County. St. Mary's County in turn agrees to expend a like amount for this project during the fiscal year. All disbursements of funds including salaries shall be made by St. Mary's County and the County will be reimbursed for 50 percent of the expenses by the State Board of Agriculture.

Office for EDC-First National Bank Building

The Commissioners reviewed a letter from Dr. J. Patrick Jarboe, Chairman of the Economic Development Committee, requesting that the Commissioners give him approval for the renting of two rooms in the First National Bank Building, to be used for the EDC offices. Dr. Jarboe stated that the rent for these two rooms would be \$60.00 per month and the overall cost, including the telephone, for one year would not exceed \$1,000. Dr. Jarboe felt that the office allocated for EDC in the Courthouse was very unsatisfactory for that purpose, since there was neither privacy or storage space.

The Commissioners unanimously agreed to allow the EDC to rent said rooms.

A letter will be sent to Dr. Jarboe giving him the authority to consummate this deal with Mr. Joseph M. Gough at the First National Bank.

Intercom System for Courthouse

Mr. Paul R. Raley inquired as to whether the Commissioners felt that it would be feasible to install an intercom system for the Courthouse so that persons could be easily located in any of the offices.

Mr. Guy inquired as to whether the system would interfere with Courts when they were in session. Mr. Raley felt that the intercom could be placed in the corridors rather in the Court rooms.

The Commissioners requested Mr. Raley to check with Judge Dorsey to determine the feasibility of such a project.

Caretaker for Ridge Dump

Mr. Paul R. Raley informed the Commissioners that Mr. William E. Mattingly, who had been employed by the County as the Caretaker for the Ridge Dump, had resigned from this position. Mr. Raley stated that a Mr. George Gatton from that area was very much interested in obtaining this job. The Commissioners unanimously agreed to hire Mr. Gatton to fill this position. Mr. Paul Raley was requested to contact Mr. Gatton to advise him of this decision and to inform him that the position would be for a period of one year.

St. George Park-Land Acquisition

Present: Mr. John Baggett and Mr. James Henderson

Mr. John Baggett and Mr. James Henderson appeared before the Commissioners to inform them of their desire to purchase additional property at St. George Park. They stated that they had recently purchased 10 lots from Mr. Edward Curley at a price of \$6,000. They would like to purchase additional property including several waterfront lots. The land in question is one waterfront lot owned by Mr. Raymond Bowles, costing \$2,000, eight lots owned by a Mrs. McNeal, costing \$6,000, one waterfront lot owned by Frank Abell, costing \$2,000 and an additional lot owned by Mr. Emmitt Russell, costing \$6,500. The cost of these properties, plus the Curley property, which costs \$6,000 makes a total cost of land acquisition of \$22,500. The County would have to pay 25% of this cost, making the County's share \$5,625.00.

If the Commissioners will give Recreation and Parks the approval to go ahead and purchase this property, the survey and planning work would commence shortly after this. The total cost of acquiring land and the planning survey would be a total cost of \$6,700.00 to St. Mary's County.

Mr. Baggett stated that if the property was purchased, Countians would have a place where they could swim, crab, fish, etc. There is an existing roadway through these properties with an existing 20-foot right-of-way.

The Commissioners informed the gentlemen that they would inspect the property in question and would give them a decision shortly.

William Welch, Re: Housing Situation

Attenting: Mr. William Welch and Mr. Donald Curtis

Mr. Welch stated that in a letter he had received from the Commissioners, they had requested that the Tri-County Community Action Committee do some research and present the Commissioners with some steps that could be taken to alleviate the housing problem in St. Mary's County. Mr. Welch stated that legally the Commissioners did have the authority to get involved in a Housing Authority. He had spoken with Dr. Mills of the Tri-County Council prior to his meeting today to make sure that their feelings on this subject were similar.

Mr. Welch stated that if the economic conditions were considered as we see them there are no plans that could alleviate the conditions at Carver Heights without the County becoming involved. There is an agency needed to work with these people in need. The Tri-County Council is a public agency and would be eligible to perform this type of function. Mr. Welch stated that he had applied to the General Counsel of Housing and Urban Development requesting a decision as to whether a Community Action Committee could represent these people, and whether or not the County has the right to enter into this. He expects a reply in the next few days.

Mr. Welch stated that it was possible for the County to lease a single family house. Under this plan a person who has spent a certain number of dollars is eligible to become the owner of the house. This plan is quite beneficial in that it is not necessary to condemn property, to waive regulations and so forth. The property also stays on the tax rolls.

Mr. Welch stated that he knew of various programs that were available, but with more and more provisions, and changing laws, he would have to obtain more recent information.

Mr. Welch stated that he would supply this information to the Commissioners as to what exactly was involved in bringing about a housing authority. This information would

tell the Commissioners what really is involved, what is the cost if they have problems and how problems could be resolved. They would know just how a housing authority could apply in St. Mary's County. Mr. Welch stated that possible when he brought this information to the Commissioners, Rev. Stone could meet with them also.

Mr. Aud stated that the Board was in a position of not knowing exactly what they could do. When this problem was passed on to Mr. Welch the Board was hoping he might obtain some background and material. Mr. Aud felt that it was very important that the Commissioners understand what is involved.

Mr. Guy stated that they had been discussing subsidizing rentals, etc. He wondered if there was any provision for upgrading houses. Mr. Welch stated that the Government agencies would not accept Carver Heights as a project as it was. It must be standard. He stated that Mr. Blair had shown him houses that had been renovated and was told that they planned to do the same thing to all the houses in this project.

Mr. Bowles stated that an important factor was the owners' willingness to spend an adequate amount of money to improve the houses to meet the standards required by HUD, and rent said houses to the tenants at a monthly rental equal to the maximum rent subsidy paid by HUD, plus the amount of rent the tenant can pay. Otherwise, it will not serve any housing purpose due to the fact that the tenants will not be able to rent the houses.

Mr. Welch stated that Mr. McCauley of his office had been assigned to look into the F.H.A. programs to see if they could work through any of their projects.

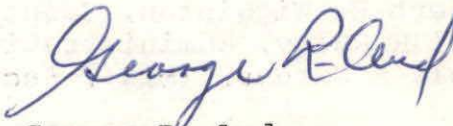
Mr. Wigginton inquired if Carver Heights were in satisfactory condition, how long would it take to become a reality. Mr. Welch felt that it would be a matter of several months.

Mr. Welch showed the Commissioners a project that Charles County has undertaken. There are 150 houses costing \$16,000 each on $\frac{1}{2}$ acre lots. The project will cost about \$3,000,000. The people in this project will not only own their own homes, but will own their own sewer and water and trash collection systems. Out of a collection of fees, they will hire their own staff. The project will eventually become self-sustaining. The corporation is made up of persons who are in need of housing and have resided in the County for a certain number of years. To date, mostly local labor has been used to work on this project.

Mr. Welch felt that if the Commissioners could work toward something specific, they would not need to worry about the time element involved before the scheduled rent increase at Carver Heights. He felt that Messrs. Weiner and Blair were reasonable persons and arrangements could be worked out if it runs past the deadline.

The Commissioners thanked Mr. Welch for meeting with them and stated that they will be looking forward to receiving material prepared by the Tri-County Community Action Committee.

Approved,



George R. Aud
President