

Board of County Commissioners' MeetingTuesday, November 21, 1972

Present: George R. Aud, President
 J. Wilmer Bowles, Commissioner
 J. S. Guy, Jr., Commissioner
 Robert E. Wigginton, County Attorney
 Paul R. Raley, Administrative Officer
 Viola M. Gardner (Mrs.), Admin. Asst. (Recording)

The meeting came to order at 9:45 A.M.

Reclassification for Secretary
to County Engineer

Present: Mr. John B. Norris, Jr., Asst. County Engineer
 Mr. B. Harris Sterling, Director of Finance

Mr. Norris requested that the position of Stenographer in the Office of the County Engineer be reclassified to that of Secretary. He informed the Commissioners that the added duties and responsibilities of the position warranted the reclassification.

The Commissioners requested Mr. Norris to submit to them a new Job Description as the position is now constituted, together with a suggested Grade Classification.

Bills Approved

King Brothers, Inc. - Printing 120 copies of 1972 Supplement to Code of Public Laws	\$ 672.00
Placid Harbor Yacht Club - Ticket Nos. 030321 and 174528, under date of August 28, 1972	\$ 26.88

Suit in Circuit Court

Attorney Wigginton informed the Commissioners of the accident case wherein the Commissioners and Deputy Sheriff Donald Wayne Purdy are defendants. This case is set for trial on Monday, December 4, 1972. It is the case of Patrick A. Lowery, Infant, et. al. vs. Donald Wayne Purdy and St. Mary's County Commissioners. A copy of the Complaint is on file in the Office of the County Commissioners.

Graves Road

Present: Atty. Oliver Guyther	Mr. Gwynn Buckler
Mrs. Caroline Dixon Long	Mr. George Mattingly
Miss Lynn Dixon	Patty Muchow, WPTX
Mr. Leonard Dixon	Robert Kyle, Enterprise
Mr. Danny Dixon	Mr. John B. Norris, Jr., Asst. County Engineer

Attorney Oliver Guyther stated that he had appeared before the County Commissioners in June and as a result of this meeting had written a letter and had thought his job had been completed in representing Mr. Gwynn Buckler. Following this, some of the heirs of Mr. Dixon agreed to a relocation of the road, instead of where the survey located it. He presented a plat indicating the location of the road.

Through Attorney Joseph Ernest Bell, II, the relocation was agreed to by Mr. L. T. Dixon, and it was not agreeable to the other two heirs. Mr. Mattingly requested that the job be done in accordance with the letter of June 21.

Attorney Guyther further stated that Mr. L. T. Dixon had attended a prior Commissioners' meeting. Mr. Guy stated he did go to look at the road, but Mr. John B. Norris, Jr., Assistant County Engineer was unavailable and he was uncertain as to the exact location of the road, but had a general knowledge of the terrain in question.

Mrs. Long stated the road had been used over twenty (20) years prior to Mr. Sydnor renting the property, and for approximately three (3) years before purchasing same.

Mr. Norris reported that he had requested, by letter, that Mr. Sydnor remove the fence. The relocation of the road was made verbally.

Mr. Leonard Dixon stated that after talking to the rest of the heirs, he called Mr. Norris and informed him that they did not agree to the relocation of the road.

Attorney Wigginton stated that Mr. Sydnor is in the wrong by blocking the County road.

Mrs. Long stated that the road should be opened and maintained in the same manner as the rest of the road. She further stated that they had been assured that the blockade would be removed and the road opened. She had written a letter to the County Commissioners stating why they did not want the road relocated.

Attorney Guyther stated that the County Commissioners had the Deed, and they are obliged to have the road opened.

Mr. Leonard Dixon said that they are remodeling the farm house and the contractors have been notified, and they need the use of the road to get these things done.

It was moved by Mr. Guy that Mr. Sydnor be notified to re-open the road to the Dixon property. The motion was seconded by Mr. Aud and concurred in by Mr. Bowles.

The Dixon family thanked the Commissioners.

Mr. Norris informed the Commissioners that it would be necessary to employ a surveyor to stake off the road.

Approval of Bond for Shady Dale Subdivision

Present: Dick Myers, WKIK

The Board of County Commissioners approved the bond in the amount of \$18,000 for Shady Dale Subdivision. The principals to the bond are Ben F. Burroughs, Jr. and Joan H. Burroughs. Sureties are Wilbur Rutt and F. Elliott Burch, Jr.

Tri-County Group Home Board of Directors

It was brought to the attention of the County Commissioners that Lt. H. A. Cumberland was unable to accept appointment to the Tri-County Group Home Board of Directors. The Commissioners instructed that a letter be forwarded to Judge Philip H. Dorsey, Jr., requesting him to accept appointment to this Board.

Resolution for Esperanza Drive

The County Commissioners approved, and Mr. Aud signed the Resolution for a speed limit of 30 MPH on Esperanza Drive in the Esperanza Farms Subdivision.

Resolution for Civil Defense Day

The County Commissioners were in receipt of correspondence from Mr. Otis F. Wood, Acting Director of the Emergency Planning Agency, in which General Rinaldo Van Brunt, Director of Maryland Civil Defense and Emergency Planning Agency requested the County Commissioners to accord due consideration to the Proclamation of Gov. Mandel proclaiming December 7, 1972 as Civil Defense Day, by issuing a Resolution in support of his Proclamation. Mr. Wood also requested that as much publicity as possible be given to this and to invite the public to visit the Emergency Operations Center on that date. The Commissioners unanimously agreed to have the Resolution prepared by Mr. Paul R. Raley, Administrative Officer.

Grant for Drug Counselling Center

Present: Dr. Patricia Hawkins, Tri-County Director

Dr. Hawkins appeared before the County Commissioners to secure the signature for the Grant from the State Drug Abuse Administration for a Drug Counselling Program in the Tri-County Area. It required the signature of the St. Mary's County Board of County Commissioners.

Dr. Hawkins informed the Commissioners that she planned to have two persons working full time in St. Mary's County, located at the site the Commissioners have provided for the Drug Counselling Center. There would be a cross referral from "Toe

Hold", and they will also use the Tri-County Youth Services Bureau Counsellors.

Applications have been received from approximately thirty (30) persons for the two positions in St. Mary's County, of which two (2) applicants are from St. Mary's County. The Drug Abuse Committee will assist in the selection of the persons to fill these positions.

The Commissioners were informed that Calvert County has now entered the program and the services from La Plata will be available to Calvert County until July 1, 1972.

A copy of the Grant Proposal will be available to the Drug Abuse Committee, and they will make a copy available to the Commissioners. Mr. Aud signed the Proposal.

Commission on Aging Budget Request for FY 1973-74

Colonel R. R. Boyer submitted his budget request for the fiscal year 1973-74 in the amount of \$500 for the Commission on Aging.

Reading of Minutes

Minutes for the Commissioners' regular meetings on Tuesdays, October 31st and November 7th were read and corrected.

NOTE: Mr. Aud was not present for the afternoon session due to illness.

Metropolitan Commission Audit

Present: Mr. John Little, David M. Gruber & Co.
Mr. B. Harris Sterling, Director of Finance

Mr. Little presented the audit for the Metropolitan Commission. He stated he did not know whether the Commissioners would recall that last year he informed them that the audit would be a qualified opinion because of the problems then with the lawsuits in connection with the Patuxent Water Company. Since then, the litigation with respect to this company has been completed. The opinion this time is unqualified. They still have some litigation going on, but not enough to warrant a qualified statement.

On Page 2, Exhibit A, as of June 30, 1972, cash on hand in banks amounted to \$232,268.94. This is the balance with Maryland Bank & Trust Company. The \$390,695.43 shown in savings accounts is in various savings accounts and building and loan accounts, with \$170,133.48 with Maryland Bank & Trust Company. The Certificates of Deposit in the amount of \$1,000,000.00 are with Maryland Bank & Trust Co., \$20,000 with Columbia Federal Savings & Loan Association. Collateral must be put up for any funds that are on deposit. All deposits are covered either by Irving Trust Company or collateral.

Mr. Bowles inquired as to interest being received on this money. Mr. Little stated the money is drawing interest. They are getting from 4.75% to 5%. The Certificates of Deposit with the Columbia Federal Savings & Loan Association are at a rate of 5.25%. Mr. Little informed the Commissioners that they could get the 6% if they tied the money up for two years, and that there are a few institutions who will give the 6% for one year. Mr. Bowles also inquired if this same money was on deposit last year and Mr. Little replied that it was.

Mr. Guy inquired as to how the money on deposit with Maryland Bank & Trust Company related to monies on deposit with the other two banks in the County. Mr. Sterling stated that the deposits are very close. Mr. Little informed the Commissioners that it was best not to tie the money up longer than one year due to fluctuation in interest rates.

Mr. Little continued with a review of the audit, explaining the Accounts Receivable, which consists of monies due from the Navy in the amount of \$24,287.20, Center Gardens in the amount of \$54,473.54, Patuxent Water Company in the amount of \$52,316.22 and general customers in the amount of \$53,050.26, making a grand total of \$184,127.22.

Mr. Little stated that there are a number of suits outstanding now, which are awaiting the outcome of the Center Gardens suit. Settlement of the Patuxent Water Company suit has been made, but the Center Gardens suit is holding up the bond issue. Individual accounts are awaiting the outcome of Patuxent Water Company and Center Gardens suit. He does not know how much is outstanding and will let them know. The Navy normally pays monthly and they have paid.

Under Accounts Receivable, the \$46,000.00 is the balance that was due prior to that period when Patuxent Water Company was being built, and that was part of the original suit between Patuxent Water Company and the Metropolitan Commission. Payment of this \$46,000.00 is due when the Metropolitan Commission pay the Patuxent Water Company the \$50,000.00 cash and \$600,000.00 in bonds in payment for the acquired assets. Payment is being made on the \$50,000.00, but he does not have a payment date on the \$600,000.00. They were told to go ahead and process getting it paid, rather than let it wait.

Mr. Little briefly went through the other assets which totalled \$15,909.55.

Under Accounts Payable the \$38,700.12 is the amount due from acquisition of the Patuxent Water Company with accrued interest up to June 30, 1972. The Commission received an advance of \$10,000.00 from the St. Mary's County Commissioners and a loan in the amount of \$95,635.00 from HUD. This loan from HUD is interest free and is for preliminary work and design on the system and is to be repaid at the start of construction. Since it is interest free, the Metropolitan Commission has not been in a rush to pay it back.

Under Contribution in Aid of Construction the State of Maryland has contributed \$1,740,266 and the U. S. Government, \$1,178,600. Under the law, the State of Maryland is to approve a grant of 25% of the eligible construction costs. The Federal Government pays 50% and the local government 25%. The Federal Government would not appropriate the money. Under the agreement between the State of Maryland and the Metropolitan Commission, the State of Maryland is to advance the difference between what the Federal Government was to pay. After the Federal Government pays it, it then must be paid back.

Contributions were received from others which included \$33,217.00. Of this, \$28,000 came in from one of the developers (Fairmay, Inc.) and \$5,000 from a deposit made so that the Metropolitan Commission could enter into the HUD loan. This money was from the people up in the industrial area. Fairmay, Inc. is Suburban Mobile Homes.

Mr. Guy inquired as to whether Public Works Agreements were entered into by Admiral Clark regarding the Bay Interceptor as the audit does not show anything of this type. Cedar Cove was one, and it does not appear in this audit. Mr. Little stated that any agreements of this type would show up in the next audit, but would look into this.

In his final comments, Mr. Little stated that the Metropolitan Commission is going to have problems with financing, both State and Federal. They are renegotiating the Navy Contract. The operation is moving along as well as it can with the holdbacks that they keep running into.

Any requests of the Commissioners, he will be very glad to answer. As far as he knows, the Metropolitan Commission is attempting to get the Federal grants increased. Any increase in Federal amounts will cause the State to amend its approval.

Donor-Purchase Contracts

The Social Security Act requires certification of actual expenditures to be reported each quarter under what is known as the Donor-Purchase Contract.

Mr. B. Harris Sterling, Director of Finance, submitted his reports for the quarters ending June 30, 1972 and September 30, 1972, for approval by the Board of County Commissioners and signature. Copies of these reports are on file.

Bid Openings for Drug Abuse Center and Facilities

Trailer

Bids on the 1973 Model Mobile Home (12 x 70) were received from the following:

Kings Row Mobile Home Sales	\$6,753.00
Midway Supply, Inc.	\$6,873.00
Burke's Trailer Sales	\$7,100.00
Mr. Ben Robey	\$7,500.00

The Commissioners unanimously awarded the bid to the Kings Row Mobile Home Sales, as lowest bidder.

Artesian Well

One bid was received for the well, from the following:

Patuxent Pump & Well, Inc.	\$2,000.00
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The Commissioners unanimously awarded the bid to the above as the only bidder.

On-Site Sewerage System and Connection of Water to Mobile Home

Bids were received from the following:

Cobb Island Plumbing	\$ 775.00
B. I. Mattingly & Co.	\$ 800.00
James M. ("Buddy") Downs	\$ 839.00
J. R. Matthews	\$ 875.00

The County Commissioners rejected all bids for the installation of on-site sewerage system, including the connection of water and sewerage to the mobile home, as the bids did not meet Health Department specifications.

Bid Opening for 3/4 Ton Truck for Landfill Operations

The McKay Implement & Truck Co., Inc. was the only firm to submit a bid on the truck. It was in the amount of \$4,172.00. The County Commissioners took no action on this bid.

Insurance for Drug Counselling Center Personnel

Present: Brother Farrell McCarthy

Brother Farrell made inquiry of the Commissioners as to whether the employees of the Drug Counselling Center would be covered by liability insurance. He was concerned due to their transporting clients to the center in their cars. Also, their status should they be involved in an accident while on Drug Counselling Center business. The Administrative Assistant to the Charles County Commissioners did not know how this was done, but would look into it and call Mr. B. Harris Sterling Wednesday morning. Mr. Sterling was requested to contact Charles and other Counties to determine how this type of insurance is handled and report his findings to the County Commissioners and Brother Farrell.

Project Proposal - Wharf at Smith's Creek

The County Commissioners approved the Project Proposal submitted by Mr. John B. Norris, Jr., for repairs to the existing wharf at Smith's Creek, Ridge, Maryland, in the amount of \$5,000. The proposal was signed by Messrs. Guy and Bowles in the absence of Mr. Aud. This proposal is to be submitted to the CBA.

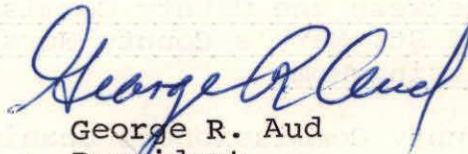
Health Department Letter Regarding Permit

The County Commissioners received correspondence from Dr. William J. Marek, Deputy State Health Officer and Mr. Walter E. Raum, Chief/Environmental Hygiene regarding the letter dated October 26, 1972 received from the Chief of the Division of Water and Sewerage of the State Department of Health, Mr. W. McLean Bingley.

Their interpretation of the contents of Mr. Bingley's letter was that the County will not receive any permits for community water or sewers until such time as the Comprehensive Water and Sewer Plan is updated.

The Commissioners requested Mr. Wigginton to review the letter and prepare a reply to Mr. Bingley.

The meeting adjourned at 4:50 P.M.


George R. Aud
President