

Special Meeting of Board of County Commissioners

Thursday, January 25, 1973

Present: Commissioner J. Wilmer Bowles, President
Commissioner George R. Aud
Commissioner J. S. Guy, Jr.
Colonel Daniel Still
Major Charles Ellison
Otis Wood, Acting Director, Civil Defense
Judith Mullins (Mrs.) Recording Secretary
Ronald Delahay, Delahay's Pile Driving Company
John B. Norris, Jr., Asst. County Engineer

Colonel Still met with the Commissioners to discuss the status of the emergency repairs to the Tall Timbers seawall. Colonel Still stated that the damage survey report was forwarded on September 14, 1972 with inspections having been made by the Army Corps of Engineers on July 14, August 19 and August 25, 1972. The emergency work was in the amount of \$21,346. It was listed as 95% complete at the time of the survey. Colonel Still felt that the work should have been completed by now. He understood that the cost of repairs would be in excess of \$21,346 and if it exceeded that by too much, the Office of Emergency Preparedness might not be able to pay for it.

John Norris stated that two damage survey reports were made dated September 14, 1972 and both were to have contained the phrase "non-concurrence in amount". The phrase was inadvertently omitted from the survey report on emergency repairs, i. e. \$24,346.

Colonel Still stated the reconstruction was to be completed by the Army Corps of Engineers. There are two systems of procedure. First, the Army Corps of Engineers, acting as agent for the OEP leased the contract and supervises the work. The State does not become involved. Second, the County is doing the work themselves and submits for reimbursement. The State does not have to coordinate that. If there are any serious over-runs, the State should know about it in advance. We have to get a determination if the OEP will accept over-runs. He said that he understood there would be considerable over-runs in this case.

John Norris stated that the Army Corps of Engineers has been kept abreast of what is going on. The work has been done to preserve the integrity of the wall and thereby protect the property. There has been no official correspondence that the wall would be rebuilt.

Colonel Still inquired as to the terms of the contract.

John Norris stated the repairs were made under a maintenance contract. When Hurricane Agnes hit and caused all the damage, the maintenance money for that year had been spent before Agnes. The wall was standing straight and when Hurricane Agnes came along, it damaged it. The contract the County had was a verbal contract based on time and equipment.

Commissioner Bowles stated that Mr. August Wagener, County Engineer, was kept on the job daily to inspect the repair work on the wall.

John Norris stated that after the storm hit, Mr. Wagener was still here and he continued inspecting the work during the month of July under the verbal maintenance contract.

Colonel Still asked if there was a time limit or amount limit to the contract.

John Norris stated it was on an hourly working rate and hourly equipment rate.

Colonel Still asked if there was a repair maintenance contract and John Norris stated that the County continued with the contract they had. Colonel Still said he was told by the Army Corps of Engineers that they were waiting for the temporary work to be completed before they started the permanent work.

John Norris said there has been no physical work done on the wall by the Army Corps of Engineers, but there has been a lot of background work performed, for instance, engineer studies.

Commissioner Aud stated that the Commissioners are more concerned with rebuilding the wall than the cost of emergency repairs.

Colonel Still stated that it was his understanding that the Corps of Engineers is definitely going to build the wall. In July he had sent out a letter to the County listing projects that they wanted the Corps of Engineers to do. Tall Timbers was one that St. Mary's County wanted them to do and the job was assigned to them. Commissioner Bowles asked how this problem could be resolved.

Colonel Still said he needs to know how big an over-run there will be and then get a supplemental application to get the money. Arrangements should be made to complete the tem-

porary repairs and get a termination date on it. He asked how soon weather - wise can the temporary work be completed.

Ronald Delahay thought the first of April if the weather permits.

Colonel Still asked if the whole seawall had to be replaced.

Mr. Delahay stated that the way the stakes are put out, it seems the whole wall will be moved out. If the wall is to be rebuilt, it has to start at one point. If it is offset, there will be quite a bit of wall that will not have to be repaired. He suggested that the bad part be replaced and the good part of the wall would last 20 years. Mr. Delahay then explained the difficulty of doing maintenance repair work on the Tall Timbers seawall.

The examples of problems he listed are: the difficulty in working on a clay bottom, difficulty working in bulky clothing, the earth that is removed behind the wall has to be removed two or three times, the excessive rain, waste materials, including large chunks of concrete, trees, etc., have been placed behind the walls, working around septic tanks and drainfields and the waves.

Mr. Norris then showed pictures of the problems at Tall Timbers as taken by the Corps of Engineers on August 19, 1972 depicting the breaks in the wall that still had to be repaired.

Colonel Still asked under what authority did the County act on at Tall Timbers.

Commissioner Bowles stated that a soil erosion district was established. The Potomac River is eroding 15 or 20 feet or more a year. Due to a petition by the residents, a soil erosion district was established by which bonds were sold to build this wall, which the residents repay. We have a responsibility to maintain the wall.

Colonel Still asked Mr. Delahay if he was paid when he was not physically at the wall, and Mr. Delahay said he was not. Colonel Still then asked what the cost was to date and Mr. Norris said around \$44,000. Mr. Delahay said all work done to date has been paid for. Colonel Still asked what additional minimum amount of work that has to be accomplished not to lose the wall. Mr. Delahay said about 200 feet that will not hold until April at a cost of about \$10,000.

Colonel Still said he would talk to people at the Corps of Engineers to find out what their plans are relative to this and then get together with OEP and see if they will accept a revised damage report for the over-runs.

J. Wilmer Bowles 3/13/73
J. Wilmer Bowles
President