

BOARD OF COUNTY COMMISSIONERS MEETINGTuesday, May 15, 1973 and Wednesday, May 16, 1973

Present: Commissioner J. Wilmer Bowles, President  
 Commissioner George R. Aud  
 Commissioner J. S. Guy, Jr.  
 Paul R. Raley, Administrative Officer  
 Judith A. Mullins, Recording Secretary

Also present were: Dave Fox, WPTX; Dick Myers, WKIK.

The meeting came to order at 9:50 a.m.

READING OF MINUTES

The minutes of May 8-9, 1973 were read and corrected.

ANGELOS C. DEMETRIOU'S SUBCONTRACT - LAND USE PLAN

All Commissioners were in unanimous agreement that a letter be sent to Dr. John Mills, Tri-County Council, stating the Commissioners approved the subcontract between Angelos C. Demetriou and Barton Aschman, Inc., as long as it does not in any way reduce or limit the responsibility of the prime contractor, Mr. Demetriou, to provide and be responsible for the scope of services provided in his contract for the completed plan for St. Mary's County.

SUBURBAN MOBILE ESTATES - 8th Election District

The plat for Suburban Mobile Estates, 8th Election District, for Cook and Kaine, was approved by Planning Commission on February 26, 1973 and has the signatures of all necessary agencies. Commissioner Aud made a motion to sign the plat, seconded by Commissioner Guy. Commissioner Bowles abstained. Said plat was signed by Commissioners Aud and Guy.

BID OPENING - CONSTRUCTION AT CHAPTICO WHARF

Present: John Baggett  
 Walter Wise

The following bids were received on the construction of parking lot, picnic area and boat ramp at Chaptico Wharf:

Walter Wise	\$12,093.18
B. A. Garner & Son	\$13,457.50.

Mr. Baggett recommended that the bid be awarded to Walter Wise with the lowest bid of \$12,093.18. Commissioner Aud made a motion to accept Mr. Baggett's recommendation, seconded by Commissioner Guy. Commissioner Bowles abstained.

Walter Wise enclosed a check in the amount of \$250 as a bid bond. Mr. Wise is to submit a performance bond before his check can be refunded. Mr. Garner did not submit a check or bid bond.

#### CARVER HEIGHTS

Present: John Baggett, Director, Recreation and Parks  
Joseph Weiner, County Attorney

Mr. Baggett stated he had been notified by the Department of Natural Resources that the purchase of 84/100 of an acre has been approved. The deed was executed January 17. It has not been paid for or the deed recorded. Mr. Baggett said he was checking with the Department of Natural Resources to see if they will accept the fact that we have not paid for the property. \$3,080 must be sent to State Highway Administration and then the County will be reimbursed by the Department of Natural Resources. Mr. Baggett requested permission from the Commissioners to send the \$3,080 to State Highway Administration as soon as the deed is in order. Commissioner Bowles inquired of Mr. Weiner the legality of this procedure. Mr. Weiner said he was not sure because it would have to go through the State. Commissioner Bowles requested Mr. Baggett to send a letter to the Commissioners as soon as he hears from the Department of Natural Resources and everything is in order.

#### ST. ANDREW'S ESTATES

Present: John Baggett  
Joseph Weiner

Commissioner Bowles explained to Mr. Weiner the procedure Mr. Baggett had suggested at last week's meeting on the St. Andrew's Estates project. Also, the dates of the deed must correspond with the application approval date, for it to have any value as far as matching money is concerned. Mr. Weiner said the deed should be redone if the St. Andrew's Civic Association would agree to it. Mr. Baggett is to contact the Civic Association members and request they sign another deed after which time Mr. Weiner will draw up the new deed.

#### BIDS ON YELLOW CHEVROLET BUS

Present: John Baggett  
Joseph Weiner

Mr. Baggett stated that Mr. John Hufton was awarded the bid on the Chevrolet Bus. Mr. Hufton had bid on this bus as is and now doubts whether he will take it. Mr. Raley said he had validated the check in the full amount - \$365. The bus does not have the proper title. Commissioner Guy suggested that Mr. Raley obtain a duplicate title application and fill in for lost title and all vital information and have Captain Sam Bailey, from whom



the County bought the bus, sign as seller and reassign it to the County Commissioners and get a new title. Mr. Weiner said the bill was legally binding if the County had a legal title.

COMPREHENSIVE RECREATION AND PARK PLAN

Present: John Baggett

Mr. Baggett stated he received a preliminary rough draft of a portion of the Comprehensive Recreation and Park Plan, which is complete to date. Mr. Baggett is to make copies of this report for the Commissioners before any approval is given.

LIGHTS AT RECREATIONAL AREAS

Present: Mr. Baggett

Commissioner Bowles requested Mr. Baggett to look into the possibility of reimbursement from the Department of Waterway Improvements for lights at public wharf recreational areas. Mr. Baggett stated he thought the money could be reimbursed, probably totally if at a recreational area.

ST. MARY'S AMPITHEATRE - GREAT MILLS HIGH SCHOOL

Present: Mr. Baggett

Mr. Baggett stated the ampitheatre has been approved. Commissioner Bowles requested Mr. Baggett to determine if Bay District Council had submitted the funds promised.

ROBERT THOMPSON - PERSONAL PROPERTY TAXES

Present: Joseph Weiner, County Attorney

Paul Raley stated that Charles Norris and Besche Oil Co. made a settlement with Mr. Oliver Guyther on \$1200 (half the taxes due). Mr. Guyther is going to write to the Commissioners to this effect. Mr. Weiner said the Commissioners should take the \$1200, but not release the judgment and pursue the other part of it. Paul Raley stated that Oliver Guyther said that is all the money that is available. Paul Raley is to contact Mr. Guyther to obtain the \$1200 and is to keep Mr. Weiner advised and report back next week.

INSPECTION OF BUILDING OWNED BY JOHN M. SHEPARD

Present: Thomas L. Cryer, County Inspector

Mr. Cryer stated he had inspected the building owned and to be constructed by John M. Shepard, located at Piney Point Shore Road, Piney Point - the building was partially constructed. On March 27, 1973, Mr. Cryer issued the first violation notice for not having a building permit and again on May 10. No building permit has been obtained to date. All Commissioners were in unanimous agreement that Mr. Cryer serve Mr. Shepard with a warrant.

INSPECTION OF TRAILER OWNED BY HARVEY THOMPSON - 7th Election Distr.

Present: Thomas L. Cryer

Mr. Cryer said Mr. Thompson was in violation because he



put a trailer on the property without a building permit, and he has been issued a violation notice. Mr. Cryer is to make further inspection and report back to the Commissioners.

NORRIS ROAD HOUSING PROJECT (HOUSING AUTHORITY)

Present: Thomas L. Cryer, County Inspector  
Joseph Weiner, County Attorney  
Clarke Raley, Attorney, St. Mary's Leased Housing Corp.

Mr. Cryer stated he had inspected the Norris Road housing project May 8, 1973 and no units stored on the property had the BOCA Seal adopted by the State of Maryland and St. Mary's Co.

Clarke Raley stated delivery of any units will not be accepted or any requisition for money unless the seal is on the units and all requirements are met. The units are from USCO, who is under contract to F. M. O'Neal, the developer of the project. John Norris is to write to F. M. O'Neal, to advise that the BOCA Seal of Approval was not on the units, according to Mr. Cryer.

VIOLATION NOTICES

Present: Thomas L. Cryer, County Inspector  
Joseph Weiner, County Attorney

Commissioner Bowles showed Mr. Weiner the violation notice issued by Mr. Cryer when he finds a violation such as no building permit. The notice does not identify violation or authority to issue and it does not state how many days are allowed to correct the violation. Mr. Weiner is to provide Paul Raley with legal information for building permits, trailer courts, etc. Paul Raley is to design a new violation notice.

ST. INIGOES NO. 3 SCHOOL SITE

A letter was received from Briscoe and Kenney, Attorneys, stating that Mr. John Wesley Briscoe and Mrs. Sarah Ball Briscoe are desirous of obtaining title to St. Inigoes No. 3 school site. Mrs. Briscoe has resided on the property for 23 yrs. Article 77, Section 47(a) of the Annotated Code of Maryland provides that when the Board of Education determines school sites and/or buildings are no longer needed for school purposes, the property shall be transferred to the County Commissioners and may be sold or otherwise disposed of. Commissioner Bowles stated the County must have a quit claim deed to the property before the Commissioners can take any action.

NURSING SCHOLARSHIPS

Paul Raley stated he received a telephone call from Grace Anne Guy of the Health Department asking if scholarships can be given to students attending St. Mary's Technical Center for nursing courses. Commissioner Guy stated the scholarships for nursing are for Registered Nurses and the courses at the Technical Center are

for Practical Nurses and, therefore, no scholarship would be available. Paul Raley is to verify whether these scholarships are for Practical Nurses or Registered Nurses.

VALLEY LEE DUMP

Present: John Norris

John Norris stated the trash at the Valley Lee Dump has been compacted and another cell had been opened up to take more trash. The hours at the dump are 8:00 a.m. to 5:00 p.m. and there is a problem with people dumping trash outside the gate of the dump after hours. Mr. Norris suggested getting names from the trash and sending them a letter that they are violating the law. In addition, Mr. Norris suggested having the Sheriff's Department watch the dump for two hours two evenings.

AIRPORT ROAD

Present: John Norris

John Norris stated a letter should be written to the State Highway Administration, formally requesting that the remaining section of the Airport road be taken into the County system and be surface treated. Commissioner Aud stated the road did not have to be taken into the system to be resurfaced.

ST. ANDREW'S CHURCH ROAD RIGHTS-OF-WAY

Present: John Norris

John Norris submitted a Summary of the Right-of-Way Agreements for Reconstruction of St. Andrew's Church Road. Commissioner Aud made a motion that the Commissioners approve Item 1 - Relocate Property Corners, Item 3 - Paving, Item 4 - Quit Claim Deed and Item 5 - Other, as outlined on the Right-of-Way Agreement. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

TALL TIMBERS

Present: John Norris

John Norris stated he received a check in the amount of \$48,420 from the State of Maryland through the Office of Emergency Preparedness. The funds are to be credited to a special account and used solely for the work approved and the funds advanced are subject to audit by the Federal Government. Anything in excess of audit will be refunded to the State.



AIRPORT COMMITTEE

Present: Robert Gabrelcik  
Dr. George Clarke  
Robert Morazes, Manager of Airport  
Joseph Weiner

Mr. Gabrelcik stated the contract with Mr. De Angelis has not been completed because the Airport Committee does not have an attorney. Mr. Gabrelcik stated the other problem is the Airport Committee would like to know if their effort on the Airport will be accepted favorably by the Commissioners. They would like the Commissioners' blessing and guidance.

Commissioner Bowles said the County Attorney, Mr. Weiner, would be their legal advisor on the contract. He further stated that the Commissioners have been trying to legally constitute the Airport Committee. Two people have not responded to requests for acceptance of appointments, including Mr. Gabrelcik. Prior to 1972, there was no legal authority for the Airport Committee.

Commissioner Aud said Mr. Elliott Burch was the other and he would be willing to accept appointment if the County Commissioners will give the Airport Committee their support.

Mr. Gabrelcik said he would sign his acceptance and he felt the Commissioners and the Airport Committee should have meetings from time to time to get each others' guidance.

Mr. Gabrelcik went over the contract. The Airport would receive \$600 a month for rent of the big hangar and a guarantee of a minimum of \$350 for commissions. The big hangar should cost around \$120,000 and would be amortized for a twenty-year period. This hangar should attract people to the industrialized park. Mr. Gabrelcik said they could lease some of the land to individuals to let them construct their own T-hangars. Mr. De Angelis is to pay to the County \$11,400 advance rent, which is to be credited to the last year of the twenty-year lease.

Dr. Clarke stated that after the County expends its funds in the large hangar, it will be up to the Airport Commission to lease property for a nominal amount for storage areas that would satisfy the aviation population of the County.

Commissioner Aud asked about the taxi strips. Mr. Gabrelcik stated money is coming back from FAA from the last project to pay the County's share of it. Commissioner Bowles said the State representative had stated that before the hangars were built location must be approved for hangars and taxi strips.

Mr. Gabrelcik said another problem is the running of the sewer line. Commissioner Bowles stated the Airport Committee should check with the Health Department to determine if on-site

sewage is possible to accommodate all the people the Airport facilities would be serving. Mr. Gabrelcik said the lines that are in should be adequate to handle this.

Commissioner Bowles stated that once the Airport Committee is legally constituted, the Commissioners will work with the Committee. The Commissioners would like a cover letter when they send the draft of the contract stating the majority of the Airport Committee has approved the lease and recommend it be accepted by the Commissioners. The letter shall be signed by members of the Airport Committee approving said lease.

Commissioner Guy asked if the Airport Committee would be establishing regular meeting times. Mr. Gabrelcik said the second Friday of the month at 4:00 p.m.

#### ECONOMIC DEVELOPMENT COMMITTEE

Commissioner Aud made a motion to recommend Alfred Dillow, representing real estate, to the Economic Development Committee. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

#### ELECTRICAL BOARD

Commissioner Aud recommended that Kirk Sterling, Ed Schindler, Roger Richardson, Jr. and Robert A. Russell be appointed to the Electrical Board. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

#### ECONOMIC DEVELOPMENT COMMITTEE

Aloysius Raley accepted appointment to the Economic Development Committee.

The meeting recessed at 5:00 p.m.

Wednesday, May 16, 1973

Present: Commissioner J. Wilmer Bowles, President  
 Commissioner George R. Aud  
 Commissioner J. S. Guy, Jr.  
 Judith A. Mullins, Recording Secretary

Paul R. Raley, Administrative Officer, was present in the afternoon only.

#### ROLLING ACRES SUBDIVISION - Golden Beach Road

Present: Ben Burroughs  
 Elliott Burch, Jr.

Mr. Burroughs said he and Mr. Burch are requesting an exception to the December 26 road policy for Rolling Acres Subdivision consisting of 102 acres which was purchased from the John



Bowling estate. There would be no more than 65 lots. The Planning Commission would not look at this plat until the Commissioners decide what they are going to do about the road policy. Commissioner Guy stated that when there are that many lots, there is increased pressure on the county roads and would Mr. Burroughs and Mr. Burch be willing to pay to the County the cost of improvement to Golden Beach Road. Mr. Burroughs said if other developers would do this, he would too. Commissioner Bowles stated the only exceptions that have been made to the policy is where the developers have agreed to rehabilitate the county road to the State public highway at their expense. Mr. Burroughs is to obtain the signatures on the deed of property owners for the new right-of-way for Golden Beach Road. Approval of the above request is pending.

#### COUNTY EXTENSION BUDGET

Present: Harris Sterling, Finance Director

Commissioner Guy made a motion that the County Extension budget remain the same as approved on May 1, 1973. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous. Mr. Sterling is to send a letter to Mr. Lancaster to this effect.

#### BILLS APPROVED

The following bills were unanimously approved by the County Commissioners:

Haywa Services, bill dated April 12, 1973, for the installation of central air conditioning system for Walden Counseling Center in the amount of \$641.60.

Seventh Judicial Circuit of Maryland, dated April 30, 1973, for substitute court reporter for twenty-four days in the amount of \$1,440.

#### HEALTH DEPARTMENT BUDGET

Present: Mr. Sterling, Finance Director

Mr. Sterling stated \$24,253.56 will be sent to the Health Department as a result of the audit of the Health Department since July 1, 1965 through June 30, 1972. The main difference pertains to Health Department's share of fees of septic licenses, scavenger licenses and home health services. In turn they will send us as a refund on their budget for year ending June 30, 1972 a total of \$46,123.60. This is as a result of an overassessment on mental patients.

#### ELECTRICAL BOARD

Commissioner Aud stated the following have accepted appointment to the Electrical Board: Roger Richardson, Chairman, Kirk Sterling, Secretary Treasurer; Ed Schindler, Robert Russell, and George Aud, Commissioner member.



ST. MARY'S LEASED HOUSING (HOUSING AUTHORITY)

Present: Clarke Raley, Attorney for St. Mary's Leased Housing  
 Dr. J. Patrick Jarboe, Chairman, Housing Authority  
 Michael Davis, Weiner and Davis

Clarke Raley stated that in accordance with the requirements of the Metropolitan Commission, St. Mary's Leased Housing submitted to the Metropolitan Commission their water plant. Although the Commission approved the design of the water system, approval was withheld pending a surety bond to guarantee a public sewage installation at the point in time when the Metropolitan Commission sewer mains would be available in that area to hook into. Clarke Raley asked the Metropolitan Commission by what authority they could require this. Admiral Clark of the Metropolitan Commission said it was only a policy. Clarke Raley said it was economically difficult to obtain a bond and he suggested the issuance of a second bond and Mr. John Pleisse, Attorney for the Metropolitan Commission, said he should obtain the consent of the bond holders.

Clarke Raley stated that a lagoon system with spray irrigation had been proposed but the Health Department would not approve this. Clarke Raley said the septic system is the system he believes would work. Two public work agreements were written; the second one substitutes the County Commissioners for the Metropolitan Commission. Commissioner Aud said authority cannot be delegated and then taken away. Commissioner Guy stated the project is in the Mattapan Sanitary District under the Metropolitan Commission.

Commissioner Guy said the Commissioners should hear the Metropolitan Commission's opinion on the matter before any decision could be made. Michael Davis agreed and said their attorney should be present.

REQUEST FOR PRIVATE LANDFILL

Present: Herschell McLeod

Mr. McLeod came before the County Commissioners to request that he be allowed to operate a private landfill adjacent to the St. Andrew's Landfill for use in his own business, St. Mary's County Trash. Mr. McLeod is to submit a letter of agreement that he would comply with our county ordinance.

KITTS POINT

Present: Dr. John Mills, Tri-County Council  
 Dennis Joyce, Tri-County Council (Dept. of State Planning)  
 Victor Reynolds, Developer of Kitts Point Project  
 Walter Schroder, Assistant to Victor Reynolds  
 Arthur "Buck" Briscoe, Economic Development Committee  
 Virginia Meads, Economic Development Committee

Dr. Mills came before the County Commissioners to present the Tri-County Council's comments and recommendations in report form



concerning the economic and environmental impact of the proposed Kitts Point project. Dr. Mills read the report and stressed the fact that not one page of the report stands on its own but must be evaluated in its entirety. The conclusion of the reports stated the problems of developing Kitts Point reduce the probability of Kitts Point being developed successfully in the interest of the general public of St. Mary's County. Tri-County Council recommended that Kitts Point development be unfavorably considered at this time.

Mr. Reynolds stated that Mr. Demetriou, Land Use Planner Consultant, recommended cluster housing or cul-de-sac neighborhoods and Mr. Reynolds was of the opinion that people did desire 1½ acre lots and would like farm type living. In addition, Mr. Demetriou felt there was not enough public access to the water. Mr. Reynolds said 10% of the waterfront land was for public use. Dr. Mills stated there should be more access locations, not necessarily more acreage, although more acreage would be desirable.

Commissioner Guy stated the proposed project was turned down as it is now presented, but should the developer follow the recommendations of the Tri-County Council, could a favorable report be given? Dr. Mills stated that if the recommendations are adopted, the report would be other than what it is.

#### HERSCHELL V. McLEOD - PRIVATE LANDFILL

Mr. McLeod submitted his letter of compliance. Commissioner Aud made a motion that the Commissioners have no objection to Herschell McLeod developing a private landfill adjacent to the existing St. Andrew's Landfill, owned and operated by the County, so long as Mr. McLeod complies with the St. Mary's County Ordinance 71-4, State Department of Health Regulations and regulations by other State and County agencies which relate to the operation of a landfill. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous.

#### MAZIE L. GRAVES PROPERTY

Commissioner Guy made a motion that the Commissioners approve John Baggett proceeding with the acquisition of the Mazie L. Graves property for \$1200 per acre, subject to Mr. Baggett obtaining an option to purchase said property for a term sufficient to allow Mr. Baggett to make application and receive approval from the appropriate State and Federal agencies. Commissioner Aud seconded the motion and Commissioner Bowles made it unanimous.

#### CARVER HEIGHTS PLAYGROUND

John Baggett advised the Commissioners that the date of the deed was only important if settlement occurred on the same day. The concern of the Department of Natural Resources is that no expense has been incurred by the County prior to approval of the application. The Commissioners were in unanimous agreement that John Baggett receive \$3,080 for the purchase of Carver Heights



Playground, to be sent to State Highway Administration, and to be reimbursed by the Department of Natural Resources.

REQUEST FOR INVESTIGATOR COORDINATOR

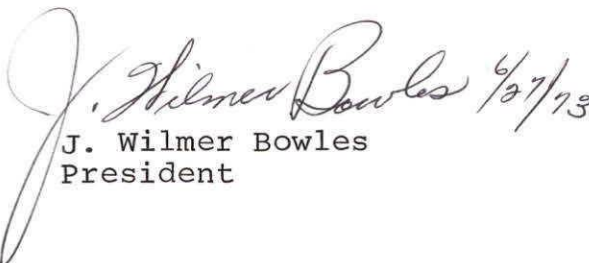
Present: John Bailey, State's Attorney  
John Quade (Investigator Coordinator)

John Bailey stated his office would like the County Commissioners' approval on the Application for a Federal Grant for the position of Investigator Coordinator. Total salary is \$12,000 - Federal share \$9540, County share \$2460. Total mileage cost is \$500 - Federal share \$377, County share \$123. Total County share is \$2583. John Bailey said this position is needed for the preparation of cases. This is a one-year grant. Commissioner Aud made a motion that the request for investigator coordinator be approved subject to LEAJ approval. Commissioner Guy seconded the motion and Commissioner Bowles made it unanimous. Commissioner Bowles signed the grant application. The person responsible for evaluation of this grant is John Bailey, State's Attorney.

ANGELOS C. DEMETRIOU CONTRACT

The Commissioners unanimously approved the payment of \$8,626, which is part of St. Mary's County's share of Angelos C. Demetriou's contract, to be forwarded to Tri-County Council, Attention John Mills.

The meeting adjourned at 5:00 p.m.

 6/27/73  
J. Wilmer Bowles  
President