

de-400357

sealed tank approval  
3/5/85 CWillin

# PERMIT

P 34990

A REPAIR

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH\*

HOWARD COUNTY  
BUREAU OF ENVIRONMENTAL HEALTH  
992-2330

ELLICOTT CITY

DISTRICT \_\_\_\_\_

DATE 2/14/85

INDEXED

Mr. Ellis IS PERMITTED TO INSTALL \_\_\_\_\_ ALTER X

ADDRESS 6608 Allen Lane, Columbia, Maryland PHONE WORK: 594-0611

SUBDIVISION \_\_\_\_\_ ROAD 6608 Allen Lane LOT \_\_\_\_\_

PROPERTY OWNER Mr. Ellis Home Phone Number 799-5225

ADDRESS \_\_\_\_\_

IF GARBAGE GRINDER IS USED INCREASE SEPTIC TANK CAPACITY BY 50% AND ABSORPTION AREA BY 22%.

GARBAGE GRINDER? YES \_\_\_\_\_ NO \_\_\_\_\_

SEPTIC TANK CAPACITY \_\_\_\_\_ GALLONS NUMBER OF BEDROOMS \_\_\_\_\_

REPAIR - Convert existing septic tank to a seal unit by removing outlet pipe and sealing outlet hole. Installation of an alarm device is required.

PLANS APPROVED BY Craig Williams DATE 2/14/85

COVER NO WORK UNTIL INSPECTED AND APPROVED.

NEITHER THE HOWARD COUNTY COUNCIL NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM.

NOTE: IF TRENCH IS USED CALL FOR INSPECTION BEFORE AND AFTER PLACING GRAVEL IN TRENCH.

NOTE: NO DRY WELL SHALL EXCEED 15 FOOT IN DIAMETER. NO ABSORPTION TRENCH TO EXCEED 100 FEET IN LENGTH.

NOTE: ALL PIPE FROM HOUSE TO SEPTIC TANK MUST BE CAST IRON OR SCHEDULE 40 PVC OR ABS.

PERMIT VOID AFTER THREE YEARS.

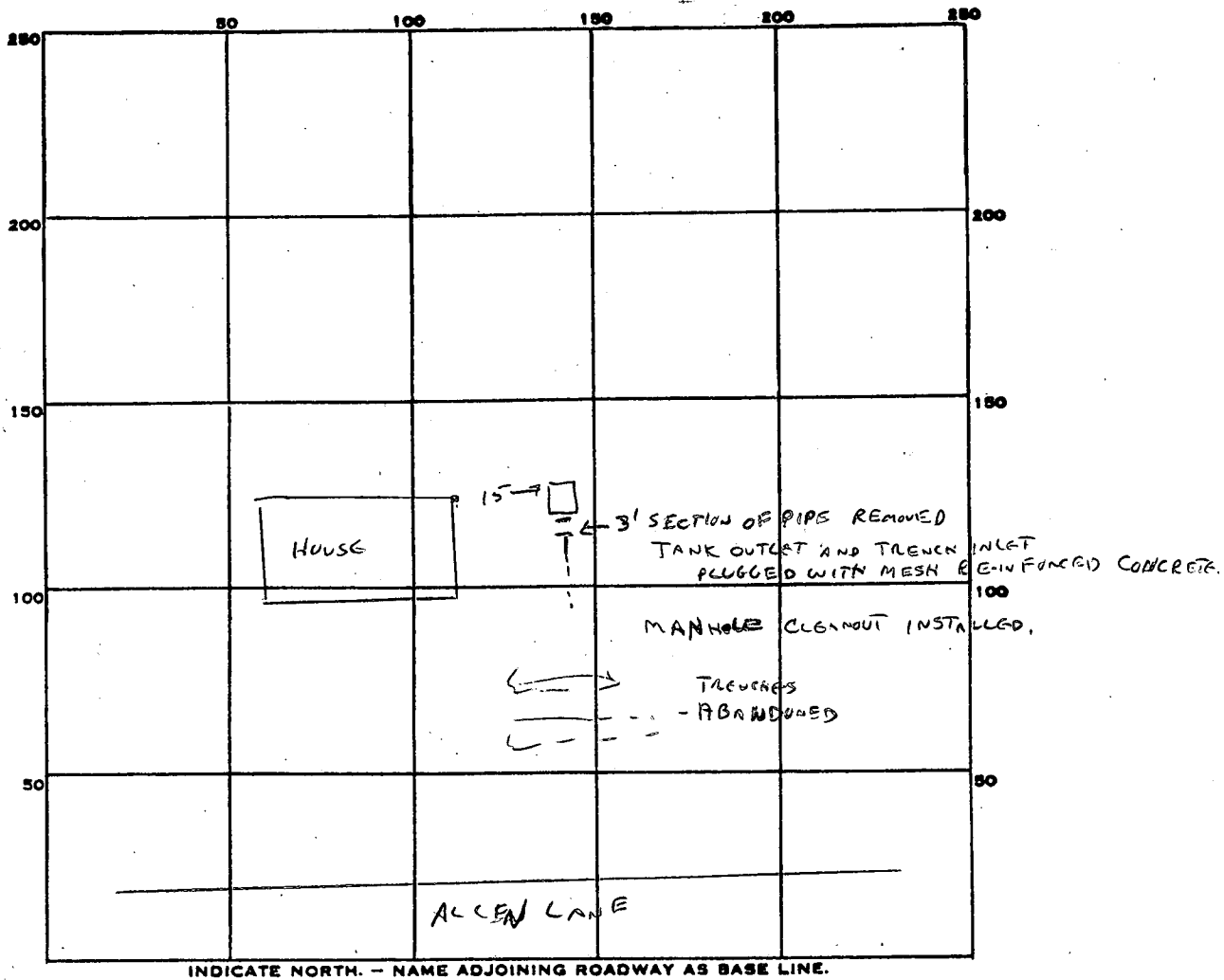
NOTE: INSTALL STAND PIPE ON SEPTIC TANK AND DRY WELL. STAND PIPES MUST BE 6 INCHES IN DIAMETER. CAST IRON, CONCRETE OR TERRA COTTA, OR PVC OR ABS ACCEPTED. IF TOP OF SEPTIC TANK IS DEEPER THAN 3 FEET MANHOLE TO GRADE REQUIRED.

**\*INSTALLER IS RESPONSIBLE FOR OBTAINING FINAL APROVAL ON THIS PERMIT**

\*CALL 992-2330 FOR INSPECTION OF SEPTIC SYSTEMS.

EH - 2-1082

A 34990  
Repair



INDICATE NORTH. - NAME ADJOINING ROADWAY AS BASE LINE.

PERMIT CARD

SEPTIC TANK, LEVEL EXISTING

CLEANOUTS SDU MANHOLE

DISTRIBUTION BOX, LEVEL N/A

TILE FIELD, DEPTH \_\_\_\_\_ FT. TRENCH WIDTH \_\_\_\_\_ FT.

GRAVEL DEPTH \_\_\_\_\_ IN. TOTAL LENGTH \_\_\_\_\_ FT.

NUMBER OF TRENCHES \_\_\_\_\_ TOTAL BOTTOM AREA \_\_\_\_\_

SEEPAGE PITS, INSIDE DIAMETER \_\_\_\_\_ FT. DEPTH BELOW INLET \_\_\_\_\_ FT.

ABSORBENT AREA \_\_\_\_\_ SQ. FT.

REMARKS \_\_\_\_\_

3-4-85 CONVERSION TO SEALED TANK COMPLETED. Craig Williams

DATE SYSTEM APPROVED 3/4/85

INSPECTOR Craig Williams

Howard County, Maryland

Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

March 18, 1985

Timothy E. Welsh  
County Solicitor

Robert W. Sheesley, Director  
Bureau of Environmental Health  
3525 Ellicott Mills Drive  
Ellicott City, Maryland 21043

Re: Howard County v. Ellis  
Case No. 3572-84

Dear Mr. Sheesley:

Pursuant to your request, a Petition for Injunctive Relief was prepared and heard in the District Court on February 11, 1985, against Mr. and Mrs. Charles E. Ellis. The basis of the petition was Mr. and Mrs. Ellis' failure to correct the hazard their septic system was causing to the public health.

Based upon the testimony of Craig Williams and your staff, Judge R. Russell Sadler granted the injunction and ordered the Defendants to obtain the necessary permits to seal and pump out their septic tank, and to regularly pump it out, thereby correcting the health hazard. In accordance with your letter of March 11, 1985, we have been advised that Mr. and Mrs. Ellis have complied with the Court's order. Accordingly, I am closing our files in this matter.

I would like to again take this opportunity to thank you for your assistance in this matter.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW

  
Timothy E. Welsh  
County Solicitor

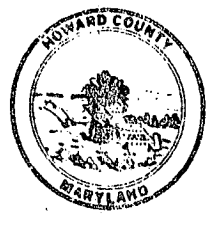
TEW:wp

cc: The Honorable Elizabeth Bobo  
Dr. Joyce M. Boyd  
F. Todd Taylor, Jr., Esq.

Frank P.S.  
Craig  
file

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIGER PLACE  
8306B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

June 16, 1983

Mr. and Mrs. Charles E. Ellis  
6608 Allen Lane  
Columbia, Maryland 21045

Dear Mr. and Mrs. Ellis:

On June 6, 1983, while investigating a complaint concerning a condition allegedly hazardous to health, I inspected your property known as Lot 3, Parcel 475, Tax Map 37, located at 6608 Allen Lane, Columbia, Maryland.

During that inspection I observed an apparent failing septic system possibly in the front yard area near the driveway and public road.

As the apparent failing septic system creates a condition which is, or may be hazardous to the public health, you are hereby ordered to repair the system within ten (10) days of receipt of this letter. To abate this unhealthy nuisance you must:

- (1) Secure a permit to repair the system. The fee for this permit is \$10.00.
- (2) Have the ground opened up for inspection so Sanitarian can recommend the repair system.
- (3) Have the system repaired and inspected and approved by the Health Department.

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within ten (10) days of receipt of this letter. If you wish to discuss the evidence, the regulations, or your individual circumstances, you are encouraged to request a meeting with us by calling 992-2330 and scheduling an appointment.

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



Bureau of Environmental Health  
3525 Ellicott Mills Drive  
Ellicott City, Maryland 21043

Director - 461-9956  
Water & Sewerage, Permits - 461-9933  
Community Environmental Health - 461-9944  
Technical Services - 461-9955

March 11, 1985

MEMO TO: Mr. Timothy E. Welsh  
County Solicitor

FROM: Robert W. Sheesley

SUBJECT: Howard County vs. Ellis  
Case No. 3572-84

In reference to the status of the above case I submit the following. Mr. Ellis applied for a sewage system repair permit February 14, 1985, had the septic tank contents pumped out on February 16, 1985, and had the septic tank sealed and inspected on March 4, 1985.

Although our original order required an alarm device for high water level be installed, the court order of February 27, 1985 did not, but Mr. Ellis has complied with the terms of the court order.

Mr. Ellis must maintain receipts to verify that the septic tank is being pumped out on a regular basis when necessary, by a licensed scavenger. If the sealed tank is not maintained (i.e. pumped out when necessary) then the installation of a high water alarm device would be required.

Robert W. Sheesley, Director  
Bureau of Environmental Health

RWS/FAS:hs

cc: Ms. Liz Bobo  
Dr. Joyce M. Boyd  
Mr. Charles Ellis

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



P.O. BOX 476  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2333

## MEMORANDUM

TO: ROBT SHEESLEY  
FROM: CRAIG WILLIAMS

RE: CHARLES ELLIS CASE  
6608 ALLEN LANE

- 1) COURT ORDER TO SEAL TANK ISSUED FEB. 11, 1985
- 2) ELLIS APPLIED FOR REPAIR PERMIT FEB 14, 1985
- 3) SEPTIC TANK PUMPED FEB 16, 1985
- 4) SEPTIC TANK SEALED MARCH 4, 1985

\* NOTE: a) REPAIR DID NOT INCLUDE HIGH WATER ALARM AS REQUESTED BY THIS DEPARTMENT.

b) COURT ORDER DID NOT ADDRESS ISSUE OF HIGH WATER ALARM, if sealed tank is not maintained properly. The high water alarm will be required.

Liz Bobo  
cc. Dr. Boyd  
cc. Tom Welsh

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

Timothy E. Welsh  
County Solicitor

March 4, 1985

Robert Sheesley, Director  
Bureau of Environmental Health  
Court House Square  
3525 Ellicott Mills Drive  
Suite 1  
Ellicott City, Maryland 21043

Re: Howard County v. Ellis  
Case No. 3572-84

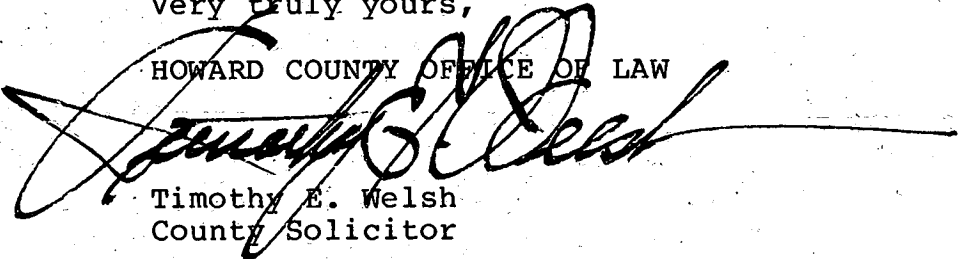
Dear Mr. Sheesley:

As a result of a hearing on February 11, 1985, Judge Sadler, of the District Court for Howard County, issued an Order compelling Mr. and Mrs. Ellis to comply with the Health Board Order dated June 7, 1984. I have enclosed a copy of the final Order for your review.

I would appreciate your office checking the site for compliance with the Court's Order after March 9, 1985. Unless I hear from you, I will consider the matter closed.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW



Timothy E. Welsh  
County Solicitor

TEW:wp  
cc: F. Todd Taylor, Jr., Esq.  
Enclosure

HOWARD COUNTY, MARYLAND	:	IN THE
Plaintiff	:	DISTRICT COURT
vs.	:	OF MARYLAND
CHARLES E. ELLIS and	:	FOR HOWARD COUNTY
GERTRUDE S. ELLIS, his wife	:	
Defendants	:	Case No. 3572-84
:	:	:
:	:	:
:	:	:

ORDER

Based upon the testimony and exhibits produced at the hearing of this matter, it is this 27th day of Feb, 1985, by the District Court for Howard County,

ORDERED, that the Defendants, Charles E. Ellis and Gertrude S. Ellis, his wife, obtain the necessary permits from the Howard County Department of Health and, at their expense, seal and pump out their septic tank located on the property known as 6608 Allen Lane, Columbia, Howard County, Maryland, within ten (10) days from the date of this Order; and it is further

ORDERED, that the Defendants on a regular basis <sup>when necessary</sup> have their septic system pumped out by a licensed scavenger at their expense; and it is further

ORDERED, that the Defendants pay all costs of this proceeding.

\_\_\_\_\_  
JUDGE

*R. Sader*

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

March 4, 1985

Timothy E. Welsh  
County Solicitor

The Honorable Elizabeth Bobo  
Chairperson, Health Board  
George Howard Building  
Ellicott City, Maryland 21043

Re: Howard County v. Ellis,  
Case No. 3572-84

Dear Ms. Bobo:

On February 11, 1985, pursuant to an injunction filed by the Office of Law to enforce the Order of the Health Board involving Mr. and Mrs. Ellis, Judge R. Russell Sadler signed an Order requiring the Ellises to seal their septic system. I have provided a copy of this Order for your review.

I have been in contact with Robert Sheesley, Director of the Bureau of Environmental Health. He has informed me that Mr. Ellis is presently complying with the Court's Order. They are monitoring his progress and will inform my office if contempt proceedings become necessary. You should be aware that Mr. Sheesley and his staff did a commendable job in preparing this matter for trial.

If you have any questions concerning the Court's decision, please contact me.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW



Timothy E. Welsh  
County Solicitor

TEW:wp

cc: F. Todd Taylor, Jr, Esq.

Dr. Joyce Boyd

Robert Sheesley

Enclosure

HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. SOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



P.O. BOX 478  
ELICOTT CITY, MARYLAND 21043  
TELEPHONE 682-1333

MEMORANDUM

TO: ROBT SHEESLEY

FROM: CRAIG WILLIAMS

RE: CHARLES ELLIS CASE  
6608 ALLEN LANE

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\* NOTE: REPAIR DID NOT INCLUDE HIGHWATER ALARM AS REQUESTED  
BY THIS DEPARTMENT.

6) COURT ORDER DID NOT ADDRESS ISSUE OF HIGH WATER ALARM,

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

March 4, 1985

Timothy E. Welsh  
County Solicitor

The Honorable Elizabeth Bobo  
Chairperson, Health Board  
George Howard Building  
Ellicott City, Maryland 21043

Re: Howard County v. Ellis,  
Case No. 3572-84

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Very truly yours,

HOWARD COUNTY OFFICE OF LAW



Timothy E. Welsh  
County Solicitor

TEW:wp

cc: F. Todd Taylor, Jr., Esq.

Dr. Joyce Boyd

Robert Sheesley

Enclosure

HOWARD COUNTY, MARYLAND : IN THE  
 Plaintiff : DISTRICT COURT  
 vs. : OF MARYLAND  
 CHARLES E. ELLIS and : FOR HOWARD COUNTY  
 GERTRUDE S. ELLIS, his wife :  
 Defendants : Case No. 3572-84  
 : : : : : : : :

ORDER

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ORDERED, that the Defendants pay all costs of this proceeding.

R. Sadler  
 JUDGE

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

Timothy E. Welsh  
County Solicitor

March 4, 1985

Robert Sheesley, Director  
Bureau of Environmental Health  
Court House Square  
3525 Ellicott Mills Drive  
Suite 1  
Ellicott City, Maryland 21043

Re: Howard County v. Ellis  
Case No. 3572-84

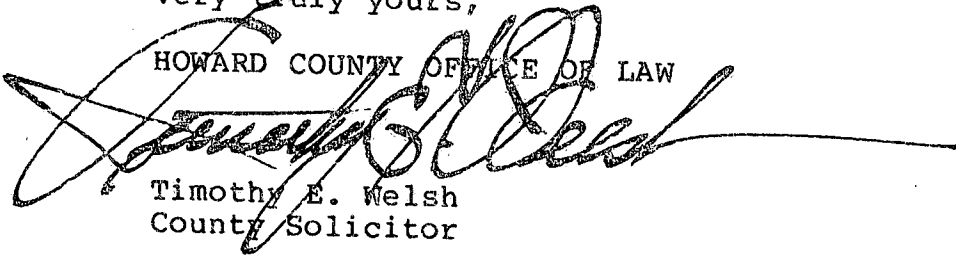
Dear Mr. Sheesley:

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I would appreciate your office checking the site for compliance with the Court's Order after March 9, 1985. Unless I hear from you, I will consider the matter closed.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW



Timothy E. Welsh  
County Solicitor

TEW:wp  
cc: F. Todd Taylor, Jr., Esq.  
Enclosure

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8308B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

August 8, 1984

## MEMORANDUM

TO: Todd Taylor  
Assistant County Solicitor

FROM: Frank Skinner, Director *FS*  
Water and Sewerage Program

SUBJECT: Charles Ellis Case, 6608 Allen Lane

On June 7, 1984 The Board of Health ordered Mr. Ellis to seal off the septic tank and have its contents pumped out periodically by a licensed scavenger to eliminate the sewage overflow. Thirty days were allowed for Mr. Ellis to comply with this directive. An inspection of the above referenced site was made on July 12, 1984, and at that time Mr. Williams of this Bureau observed an active sewage overflow. He also spoke with Mrs. Ellis who informed him that no correction had been made and that none would be made.

As Mr. Ellis has failed to comply with The Board of Health's order, I request your office to review this matter and take the necessary action in order that a summons may be secured for the owner to appear at District Court.

I have enclosed an updated chronology of events leading up to our inspection of July 12, 1984.

FS:jr

Enclosure

Chronology - Charles Ellis case, 6608 Allen Lane

- ✓ 6/6/83 - Complaint received by Health Department; site check - located overflowing septic system near road.
- 6/8/83 - Site checked with Mr. Ellis by M. T. Joye and C. B. Streaker of Health Department. Memo - copy of 8/3/79 given to Mr. Ellis.
- 6/10/83 - Memo for Dr. Boyd prepared on situation by C. B. Streaker.
- ✓ 6/16/83 - Order for repair of septic system at 6608 sent; after discussion with Dr. Boyd.
- 6/27/83 - Survey of area accomplished by Mr. F. Frommelt and Charles B. Streaker of Howard County Health Department.
- 6/29/83 - Note: Meeting in p.m. at Ralph Holbrook's, 6612 Allen Lane, Columbia - see attachments - a. announcement and b. paper article.
- 7/6/83 - Dr. Boyd and Mr. F. Frommelt at site for review of situation.
- ✓ 7/7/83 - p.m. - Check of soil in the area of original system located inadequate repair area for the system due to water and/or poor clayish soil.
- ✓ 7/13/83 - Order for a sealed unit sent.
- 7/26/83 - Site check - (1) area almost dry; (2) limed at time of inspection; (3) flow non-existent.
- ✓ 8/10/83 - Seeping of effluent along road noted at 6608 again.
- 8/10/83 - Memo to Office of Law
- 8/13/83 - Letter sent to Mr. George Larrick at 6604 Allen Lane.
- 9/1/83 - No violation noted at 6604 Allen Lane - Larrick's.
- 9/1/83 - Site check of 6608 Allen Lane, note (1) approximately 15 ft.<sup>+</sup> damp along road only; (2) area limed.
- 9/6/83 - Telephone call from Ms. Russell, Secretary to County Council. C. B. Streaker discussed Ellis problem. Hold for a possible hearing on Charles Ellis at 6608 Allen Lane.
- 10/10/83 - Meeting scheduled with Office of Law - Mr. Todd Taylor, Esq. and Health Department representatives.

NOTE: Numerous telephone calls received on this case from June 6, 1983 to the present.

- 10/24/83 - Hearing by Board of Health on Charles Ellis' appeal. No decision at this time. Health Department to provide information about costs and timetables on various alternative solutions.
- 11/18 & 11/25/83 - Health Department and Public Works Department supply requested data.
- 1/30/84 - Board of Health reviews information and issues 90 day extension before making a decision.
- 4/17/84 - Board of Health issues 90 day extension on corrective order to allow further study, with provisions to shorten extension if conditions warrant.
- ✓ 4/18/84 - Soil borings conducted at Ellis property indicating conditions not suitable for soil based septic system repair.  
FRANK MYSELF  
PULL RECORDS
- 6/02/84 - Board of Health issues order to convert to sealed tank within 30 days.
- ✓ 6/12/84 - Complaint received by Health Department. Site check reveals no active overflow at this time; but, evidence shows very recent overflow existed.  
BARB HESSE
- ✓ 7/12/84 - Inspection as follow-up to corrective order, shows active overflow. No repair attempted; Mrs. Ellis states intention to ignore repair order.  
MYSELF

Addendum

- 11/07/84 - Evidence of continued seepage along road observed.
- 11/19/84 - Evidence of continued seepage along road observed.
- 11/21/84 - Evidence of continued seepage along road observed.
- 1/25/85 - Snow cover prevents inspection of area of overflow.

Spring

Name and Address	Length of Residence	Problems with septic system Problems		Comments	Reaction to Public Sewer
		Present	Past		
George Larrick 6604 Allen Av.	20 yrs. 3 current residents	No evident septic problems		S. tank pumped @ least once per year; located to right front of house. Soil layer hole @ sandy clay to 4 1/2' auger - 1/2" @ 4 1/2'	
J. Est. Whelan (spoke to son Denny) 6100 Allen La.	2 yrs. 3 current residents	Sewage to in 2' of surface in driveway along road Springs on left side of road		S. tank pumped a time per year; located in right rear of house; d. well in rear yard	
Capell 6605 Allen La.					
Charles Deist 6609 Allen La	22 yrs. 3-4 current residents	Must concrete water Springs heads in area	Failure of system in 1st year, then repaired	S. tank pumped every 1-2 years; located behind house gas to top of d. box & tile field in rear yard. Soil layer a 40' down slope of tile field hole @ sandy clay to 4 1/2' water @ 4 1/2'	
Ellis 6608 Allen La.	23 yrs. 3 current residents	Currently over-flowing in front yard @ road. Springs heads in area	Problems in first couple years	S. tank pumped couple times per year, but surface water & high water table or Springs fill up system in few days. Soil layer hole @ clay to 1/2'. clay to sand mix below; auger inserted @ 4' hole @ clay to 2'; sandy clay below water @ 3'	

Howard County, Maryland

Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043  
(301) 992-2100

Frank  
See that those  
involved are  
prepared to testify  
early, yourself -  
?

Timothy E. Welsh  
County Solicitor

December 19, 1984

WTB  
F. Todd Taylor, Jr.  
Assistant County Solicitor

TO: Robert Sheesley  
Director, Environmental Health

FROM: F. Todd Taylor, Jr.  
Assistant County Solicitor

RE: Howard County v. Ellis

The Ellis case has been set for February 11, 1985 at 9:00 a.m. The investigator should contact me sometime during the week of February 4, 1985 to review testimony.

FTT, Jr:wp

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043  
(301) 992-2100

November 28, 1984

Timothy F. Welsh  
County Solicitor

F. Todd Taylor, Jr.  
Assistant County Solicitor

Robert Sheesley  
Environmental Health  
3525 Ellicott Mills Drive, #H  
Ellicott City, Maryland 21043

Re: Howard County, Maryland  
v. Charles E. Ellis, et ux.


Dear Bob:

Enclosed please find a copy of the Petition for Injunctive and Other Appropriate Relief filed in the above case, together with a copy of the Sheriff's Return indicating it was not served because of insufficient time. A Request for Renewal of Summons has been filed, and a new Rule to Show Cause has been requested. As of this time, we do not have a new hearing date.

We will keep you advised.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW

  
F. Todd Taylor, Jr.  
Assistant County Solicitor

FTT, Jr:wp  
Enclosures

Todd ✓

HOWARD COUNTY, MARYLAND  
A Body Corporate & Politic  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Md 21043

: IN THE  
: DISTRICT COURT  
: OF MARYLAND

Plaintiff : FOR

v. : HOWARD COUNTY

CHARLES E. ELLIS and  
GERTRUDE S. ELLIS, his wife  
6608 Allen Lane  
Columbia, Md 21045

:  
:  
:

Defendants : Case No. 357284

: : : : : : : :

RULE TO SHOW CAUSE

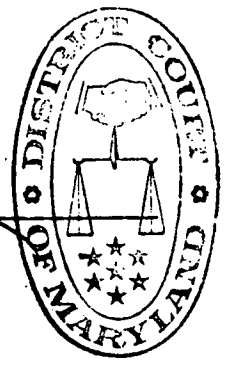
Upon consideration of the Petition for Injunctive Relief  
filed herein, it is, this 8 day of October, 1984, by  
the District Court of Maryland for Howard County,

ORDERED, that the Defendants, Charles E. Ellis and Gertrude  
S. Ellis, his wife, appear and show cause, if any they have, why  
the relief prayed should not be granted;

PROVIDED, that a copy of the Petition for Injunctive Relief  
and Other Appropriate Relief and this Rule to Show Cause be served  
upon the Defendants, by mail, on or before the 17 day of  
December, 1984; and it is further

ORDERED, that this Rule to Show Cause stand for hearing  
on the 24 day of December, 1984, at 9:00 A.m.

R. Todd  
JUDGE



RECEIVED

NOV 23 1984

HOWARD COUNTY  
OFFICE OF LAW

HOWARD COUNTY, MARYLAND	:	IN THE
A Body Corporate and Politic	:	DISTRICT COURT
George Howard Building	:	OF MARYLAND
3430 Courthouse Drive	:	
Ellicott City, Md 21043	:	
Plaintiff	:	FOR
v.	:	HOWARD COUNTY
CHARLES E. ELLIS and	:	
GERTRUDE S. ELLIS, his wife	:	
6608 Allen Lane	:	
Columbia, Md 21045	:	
Defendant	:	Case No. _____
:	:	:
:	:	:
:	:	:

PETITION FOR INJUNCTIVE AND  
OTHER APPROPRIATE RELIEF

Plaintiff, HOWARD COUNTY, MARYLAND, by its attorneys, Timothy E. Welsh, County Solicitor, and F. Todd Taylor, Jr., Assistant County Solicitor, hereby respectfully petitions this Court for injunctive or other appropriate relief and for reasons states as follows:

1. The Defendants are the fee simple owners of real property located at 6608 Allen Lane, Columbia, Maryland, as indicated in Tax Map 37, Block 19, Parcel 475, and more particularly described in a deed dated and recorded in Liber 368, Folio 679, of the Land Records of Howard County. A copy of this deed is attached to this Petition as Exhibit 1.
2. The Defendants maintain a residential dwelling on the property with a septic tank and drain field to handle sewage discharge.
3. On June 8, June 27, July 7, and July 26, 1983, the Howard County Health Department inspected the property and determined that the existing private sewerage system was a potential threat and hazardous to the public health.
4. On July 13, 1983, the Defendants were notified that they would be required to (a) secure a repair permit from the

Health Department; (b) open the ground for an inspection by the Health Department; and (c) repair their septic system.

5. Following a hearing, the Board of Health, on June 7, 1984, pursuant to their authority, issued a Decision and Order directing the Defendants to correct the overflowing private septic system. (A copy of this Order is attached hereto, incorporated herein by reference, as marked as Exhibit 2.)

6. Defendants have refused and continue to refuse to take the required action to correct the hazard their septic system is causing to the public health.

7. Plaintiff is charged with the duty to enforce all provisions of the Howard County Code, including Section 12.111, and invokes the jurisdiction of this Court pursuant to Section 4-401(7) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

WHEREFORE, the Plaintiff respectfully requests the Court to issue an Order:

A. Requiring the Defendants, at their expense, to immediately seal and pump out their faulty septic tank within 24 hours from the date of the Order;

B. Allowing the Plaintiff's agents and employees access to and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, to perform any and all necessary inspections;

C. Prohibiting the Defendants or their agents and employees from interfering with the Plaintiff's representatives during their inspections;

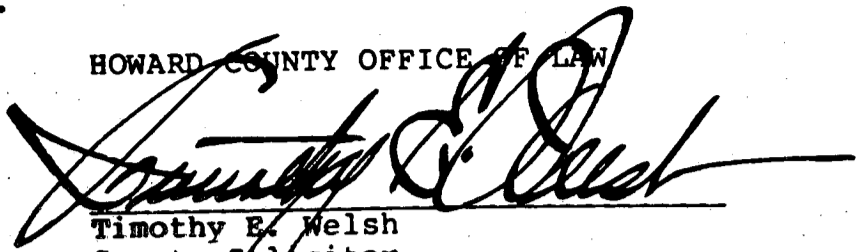
D. Prohibiting the Defendants from leasing, renting, occupying or otherwise using the property until such time as the septic tank is sealed;

E. Requiring the Defendants, at their expense, to have <sup>gas often as necessary to prevent overflow</sup> their septic system pumped monthly by a licensed scavenger; and

F. Granting such further relief as the Court, in its dis-

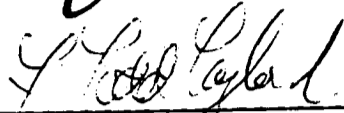
cretion, deems appropriate.

HOWARD COUNTY OFFICE OF LAW



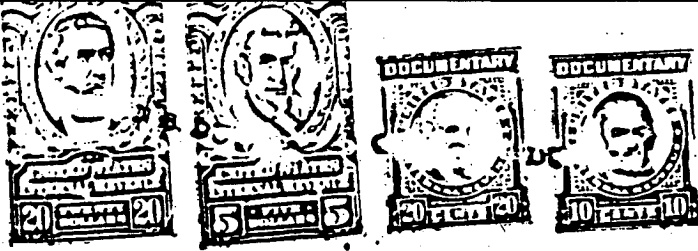
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Timothy E. Welsh  
County Solicitor



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F. Todd Taylor, Jr.  
Assistant County Solicitor  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Maryland 21043  
992-2100  
Attorneys for Plaintiff,  
HOWARD COUNTY, MARYLAND



This Deed, Made this 26th day of May

in the year one thousand nine hundred and sixty-one, by and between WALTER A. SHANK, INC., a body Corporate

of the State of Maryland, of the first part, and CHARLES E. ELLIS and GERTRUDE S. ELLIS, his wife, of Howard County, State of Maryland of the second part.

Witnesseth, that in consideration of the sum of Five Dollars (\$5.00), and other good and valuable considerations, the receipt of which is hereby acknowledged the said WALTER A. SHANK, INC., a body Corporate

does grant and convey unto the said CHARLES E. ELLIS and GERTRUDE S. ELLIS, his wife, as tenants by the entireties, their

heirs and assigns, in fee simple, all that lot of ground, situate, lying and being in the Sixth District of Howard County, State of Maryland, aforesaid, and described as follows, that is to say:—

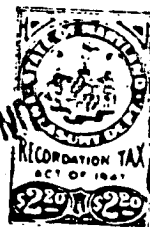
Beginning for the

KNOWN AS Lot No. 3, Section 1, as shown on a Plat of "Annetta Gardens", which Plat is recorded among the Plat Records of Howard County in Liber R.H.M. No. 8, folio 20.

BEING a portion of the property described in a Deed dated January 22nd, 1960, and recorded among the Land Records of Howard County in Liber R.H.M. No. 346, folio 577, from Morris M. Boritz and Elizabeth C. Boritz, his wife, unto the Grantor herein.

SUBJECT TO THE FOLLOWING:

- 1) Pole Agreement between Boritz, etc., and Cons. G.E. L. & P. Company of Baltimore dated April 8th, 1948, Land Records of Howard County M.W.B. No. 203, folio 268.
2) Pole Agreement between Walter A. Shank, Inc., and Baltimore Gas & Electric Company dated May 3rd, 1960, Land Records of Howard County R.H.M. No. 354, folio 52.
3) Setback as shown on the above Plat.



Walter A. Shank, Inc.

Together with the buildings and improvements thereupon erected, made or being and all and every the rights, alleys, ways, waters, privileges, appurtenances and advantages, to the same belonging, or anywise appertaining.

To Have and To Hold the said lot of ground \_\_\_\_\_ and premises, above described and mentioned, and hereby intended to be conveyed; together with the rights, privileges, appurtenances and advantages thereto belonging or appertaining unto and to the proper use and benefit of the said Charles E. Ellis and Gertrude S. Ellis, his wife, as tenants by the entireties, their \_\_\_\_\_ heirs and assigns, in fee simple.

And the said party \_\_\_\_\_ of the first part hereby covenants that ~~he~~ it has \_\_\_\_\_ not done or suffered to be done any act, matter or thing whatsoever, to encumber the property hereby conveyed; that ~~he~~ it will warrant specially the property granted and that ~~he~~ it will execute such further assurances of the same as may be requisite.

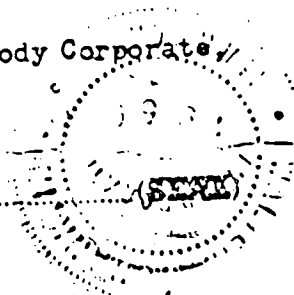
Witness the ~~hand and seal of said grantor~~ the Corporate Seal of said body Corporate Grantor, and the signature of Walter A. Shank, President.

TEST:

*Louise A. Buschman*  
Louise A. Buschman.

WALTER A. SHANK, INC.

BY: *Walter A. Shank* (SEAL)  
Walter A. Shank, President.



STATE OF MARYLAND,

, to wit:

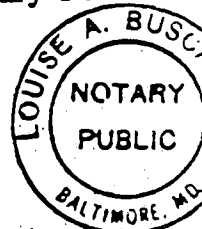
I HEREBY CERTIFY, That on this 26th day of May \_\_\_\_\_ in the year one thousand nine hundred and sixty-one \_\_\_\_\_, before me, the subscriber, a Notary Public of the State of Maryland, in and for \_\_\_\_\_ aforesaid, personally appeared Walter A. Shank, President of Walter A. Shank, Inc., a body Corporate,

the above named grantor, and he \_\_\_\_\_ acknowledged the foregoing Deed to be its \_\_\_\_\_ act.

As Witness my hand and Notarial Seal

*Louise A. Buschman*  
Louise A. Buschman. Notary Public.

Received for record June 1, 1961 at 3-00 o'clock P. M. Same day recorded and examined per W. Harvey Hill Clerk



IN THE MATTER OF THE APPEAL	:	BEFORE THE
OF MR. & MRS. CHARLES E. ELLIS	:	
FROM AN ORDER OF THE HOWARD	:	BOARD OF HEALTH FOR
COUNTY HEALTH DEPARTMENT RE-	:	
QUIRING THEM TO CONNECT THEIR	:	HOWARD COUNTY, MARYLAND
PROPERTY TO THE PUBLIC SEWER	:	
	:	

.....

DECISION AND ORDER

The Board of Health for Howard County met on October 24, 1983, for the purpose of considering the appeal of Mr. & Mrs. Charles E. Ellis, 6608 Allen Lane, Columbia, Maryland 21044, who were appealing an Order from the Howard County Health Department to either seal their existing concrete septic tank and pump or install a new concrete holding tank and pump until public sewer becomes available near their property. This Order was expressed in a letter from Charles B. Streaker, Sanitarian, to Mr. & Mrs. Charles E. Ellis, and was dated July 13, 1983. The hearing was advertised pursuant to the Rules of Procedure of the Board of Health for Howard County. The matter was investigated pursuant to the Howard County Code Section 12.104. Upon a finding that the place complained of was in a condition injurious to health, the procedure prescribed in Howard County Code Section 12.111 was instituted and is being followed.

Board members present were Elizabeth Bobo, Chairperson (Chairperson Bobo was replaced in December, 1983 by James H. Clark as Chairperson of the Health Board), James H. Clark, (present Chairperson), C. Vernon Gray, Ruth Keeton and Lloyd Knowles. F. Todd Taylor, Jr., Assistant County Solicitor for Howard County represented the Howard County Health Department. Mr. & Mrs. Ellis were not represented by counsel at the hearing.

#### WITNESSES

For Appellee: Charles B. Streaker, Sanitarian, Community Hygiene Program.

For Appellants: Mr. Charles E. Ellis.

#### EXHIBITS

For Appellee: Exhibits A-L, 12 pictures submitted into evidence showing various scenes depicting the problem; Exhibit M, Health Department letter of July 13, 1983 from Charles B. Streaker to Mr. & Mrs. Charles E. Ellis; Exhibit N, letter from Dr. Joyce Boyd, County Health Officer to F. Todd Taylor, Jr., Assistant County Solicitor of November 25, 1983; Exhibit O, memorandum from George F. Neimeyer, Director of the Department of Public Works to Dr. Joyce Boyd of November 18, 1983, public sewer service for Annetta Gardens; Exhibit P, letter from Dr. Joyce Boyd, to Mr. James H. Clark, Chairperson, Board of Health, of May 17, 1984, Ellis property--6608 Allen Lane, Columbia, Maryland.

#### HEARING

The first and only person to testify for the Health Department was Charles B. Streaker, Sanitarian, Community Hygiene Program, for the Howard County Health Department. He testified that on June 6, 1983, the Health Department received a complaint of an overflowing septic system near the road on property located at 6608 Allen Lane, Columbia, Maryland 21044. Mr. Streaker testified that on June 8, 1983, he inspected the Ellis property. He discussed the problem with Mr. Ellis and gave him a copy of a Health Department memo dated August 3, 1973 which had noted a similar situation concerning the Ellis property. Mr. Streaker testified that on June 27, 1983 he surveyed the Ellis property and noted problems of an environmental nature. On July 7, 1983, Mr. Streaker checked the soil

around the area of the septic system located on the Ellis property and found it inadequate to support a new system. He testified that the soil was questionable, in that there was limited soil absorption. He testified that at that time, he told Mr. Ellis of two options to correct the problem: (1) to seal the existing tank, or (2) install a new concrete holding tank. On July 13, 1983, Mr. Streaker signed the letter to Mr. & Mrs. Charles E. Ellis, in which he stated that the present overflowing septic system created a condition which was, or may be hazardous to the public health and he ordered the Ellises to do one of the following, since pumping of the existing system has not stopped the sewage effluent from breaking out into the surface: (1) seal the existing concrete tank and pump, or (2) install a concrete holding tank and pump until same public sewer becomes available within ten days of receipt of the notice. On July 26, 1983, Mr. Streaker again checked the Ellis property. The area was almost dry and portions of the land showed lime at the time of inspection. The flow was non-existent. Mr. Streaker testified that on August 10, 1983, while inspecting the Ellis property, he noted seeping effluent on the property near the road. On September 1, 1983, the site was again checked and Mr. Streaker noted approximately 15 feet of damp area on the property near the road. The area had been limed. Mr. Streaker testified that 12 pictures which were admitted into evidence, Exhibits A-L were taken on July 26, 1983. The pictures showed various scenes on the Ellis property depicting the problem. Finally, Mr. Streaker testified that from June 6, 1983 to October 24, 1983, the date of the Health Board hearing, the Health Department had received numerous telephone calls inquiring about the matter.

On cross-examination by Board member Clark, Mr. Streaker testified that the Ellises had lived on the property for approximately 22 years. That there had been earlier septic system problems on the Ellis property beginning in the 1960's and as current as June, 1979. The bottom line was that attempted repairs had not lasted. Mr. Streaker further testified that the problem appears to surface during the month of June because more people are outside and there is a greater opportunity to note the problem. Mr. Streaker stated that the problem is that sewage is seeping out of a trench near the property. A high water table contributes to the problem but the existence of seepage cannot be denied. He stated that relocation of the leach bed appears impractical. He also described a field septic unit as a large concrete tank with one opening for acceptance from the home. Sewage stays there until pumped out by a scavenger truck.

On cross-examination by Health Board Chairperson Bobo, Mr. Streaker testified that all of the complaints had come from one neighbor who lives close to the site. He also testified that the running or seeping sewage is a hazard because of the danger of water born diseases being carried to humans. For example, flies may light on the effluent and spread communicable diseases. Also children may not avoid the area, or vermin may transmit diseases. He also testified that the Health Department had recommended repair of the septic system to the Ellises in 1973 and in 1979. He testified that public sewer is estimated as 3 years away. Also he testified that a small treatment plant was recommended for the area in 1979 by Dr. Boyd the Health Officer.

On cross-examination by Board member Keeton, Mr. Streaker testified that a replacement septic tank appears impractical

because approximately 3 to 4 feet below the soil the sand is saturated.

On cross-examination by Board member Knowles, Mr. Streaker testified that the property is located in the Annetta Gardens subdivision. He further testified that the circumstances appear to require the conversion of the existing system to a closed one.

Upon cross-examination by Appellant Mr. Ellis, Mr. Streaker testified that approximately 50-60% of the homes in the area have a problem. Mr. Streaker further testified that Mr. Ellis has been singled out because of the larger quantity of effluent on his property and the prior documentation of the problem.

Mr. Ellis was without counsel, however, he testified that the ground was not perked properly when the homes were built. He stated the homes should have been built on 2-3 acres lots, not the existing 1 acre lots. He testified that he had attempted repairs over the years but to no avail. He testified that public sewers were all around his area in Columbia. He stated that taxes had increased from \$200 in 1961 to \$1,000 in 1983. He questioned why when sewers are near that he has to put in a new sewer. He stated that he does not have the money, that he just paid \$1,250 for a new roof. He testified that his wife has a health problem and the doctors are not sure what it is.

Health Board members directed questions to but were unable to receive answers from the Health Department concerning the following questions:

1. The present schedule for the availability of the public sewer system to Annetta Gardens, and whether the schedule for delivery of that service could be accelerated.

2. What feasible alternatives to public sewer exist?

3. The status of a proposal of Dr. Boyd for a private community sewer system mentioned in her letter to the County Executive J. Hugh Nichols on August 3, 1979.

4. The cost of connecting the Ellis System to a sealed septic tank and the monthly maintenance costs.

At the conclusion of the hearing, Health Board Chairperson Elizabeth Bobo stated that the record would be left open in order for the Health Department to answer the above questions and to provide the answers to the Health Board. Further, Mr. & Mrs. Ellis were to receive copies of any reports sent to the Health Board by the Health Department.

#### POST-HEARING ACTIVITIES

The questions pertaining to public sewer service were answered in a memorandum dated November 18, 1983, from George F. Neimeyer, Director of the Department of Public Works to Dr. Joyce Boyd, the Health Officer. The questions concerning the cost of connecting the Ellis system to a sealed septic tank was answered in a letter dated November 25, 1983, from Dr. Joyce Boyd to F. Todd Taylor, Jr., Assistant County Solicitor.

In his memorandum, Mr. Neimeyer stated that public sewer service will be provided to Annetta Gardens upon the completion of construction of sanitary sewers under Capital Project S-6053 Dorsey Run Interceptor and Collectors as well as completion of Capital Project S-6071 Dorsey Run Pump Station, Force Main Interceptor and Collectors. Taken into consideration design completion, land acquisition completion, grant funding approval and signatures, permits, bid and award and construction, both projects could be in service on or about May 15, 1988. However, without grant funding and taking into account the same factors already mentioned, with grant funding, the

estimated in service date would be July 1, 1986. The Department of Public Works has accelerated the schedule by designing and acquiring the necessary rights-of-way while the facilities plan is being revised. The Department has also stated that when the design, land acquisition and permit process is complete, the Department will review the grant funding status and make recommendations to the County Executive on whether to wait for the grant funding or to proceed with only County funding.

Mr. Neimeyer further stated in his letter, that alternatives to the public sewer system are onsite disposal which is supervised by the Health Department. He stated that presently onsite disposal is limited to septic systems although a number of innovative technical alternatives are available.

Concerning the status of the proposal by Dr. Boyd for a private community sewer system as stated in her letter of August 3, 1979, Mr. Neimeyer stated that in August, 1979, the Department of Public Works was proceeding with the facilities plan. The fiscal year 1980 Capital Budget was effective in July, and Capital Project S-6053 was part of the five year capital improvement program. The water main in Lark Brown Road and Allen Lane was under construction. Mr. Neimeyer further stated that the Annetta Gardens community is similar to other communities in having a small number of houses, some of which are experiencing failing septic systems. Installing a package sewage treatment plant is not the correct solution as the County then would have a number of package sewage treatment plants without having two interceptor sewers constructed. Then future subdivisions would be built when the septic systems fail, the County either would install more package plants or would construct the interceptor sewers.

Package plants require an NPDES permit from the State and a site must be acquired. Also, package plants are expensive to operate and maintain.

In response to the question of how much would it cost to convert the Ellis system to a sealed septic tank and what would the monthly maintenance cost be, Dr. Boyd in her letter stated that, "The estimated conversion of the Ellis system to a sealed tank would be approximately \$400 providing the existing tank is water tight or could be made water tight. If it would be necessary to install an entire new tank, there would be an increase of approximately \$700. Based on water usage, servicing of this sealed tank would cost approximately \$100 per month.

At the December, 1983 legislative session Councilman James H. Clark was elected Chairperson of the Board of Health for Howard County. In a letter January 30, 1984, Chairperson Clark informed the parties that a 90-day extension of time effective that date was necessary before issuing a decision in the Ellis matter. In a letter dated April 17, 1984, Chairperson Clark informed Mr. Ellis that the Health Department planned to resurvey the Allen Lane area and to conduct further soil evaluations in order to re-assess the failing septic system problem on Mr. Ellis's property and in that area. The letter also notified Mr. Ellis that the Board of Health had decided to grant another 90-day extension effective April 30, 1984, extending the period to July 30, 1984, however, the Board reserved the right to issue a decision within the extension period if it decided that the public health and welfare required such action.

#### FINDINGS OF FACT

1. The property of Mr. & Mrs. Ellis at 6608 Allen Lane,

Columbia, Maryland 21044, presently utilizes an individual septic system.

2. The Board accepts the testimony presented that the septic system is overflowing, resulting in a discharge of effluent on his property.

3. The Board accepts the testimony presented that this overflowing septic system is in such a condition that it creates a public nuisance which is dangerous to human health.

4. The Board accepts the evidence presented that Charles B. Streaker, Sanitarian, Community Hygiene Program, Howard County Health Department ordered the Ellises to either: 1. seal the existing concrete tank and pump; or 2. install a new concrete holding tank and pump, until the public sewer becomes available, within 10 days of receipt of a letter dated July 13, 1983.

5. The Board accepts the testimony presented that the Ellises have attempted to correct the problem posed by the failing septic system, however, the problem still exists.

6. The Board accepts as evidence presented that the Health Department resurveyed the Ellis property and conducted further soil evaluations in order to re-assess the problem. On April 18, 1984, soil borings were performed in front of and behind the Ellis house. Heavy clay, with a high water table at 3 feet below grade was observed in the boring behind the house. In the front yard, heavy clay was observed from the surface to 2-1/2 feet, with some sandy clay below to 4 feet where the auger was rejected due to gravel or stone. This area is also characterized by springs which contribute to the flow of water off the site. In light of the above conditions, repair of the septic system including an elevated mound or a shallow trench disposal system is not feasible.

HOWARD COUNTY, MARYLAND  
A Body Corporate & Politic  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Md 21043

Plaintiff

v.

CHARLES E. ELLIS and  
GERTRUDE S. ELLIS, his wife  
6608 Allen Lane  
Columbia, Md 21045

Defendants

IN THE  
DISTRICT COURT  
OF MARYLAND  
FOR  
HOWARD COUNTY

Case No. \_\_\_\_\_

: : : : : : : :

FINAL DECREE

Based upon the evidence produced by the Plaintiff, HOWARD COUNTY, MARYLAND, it is, this \_\_\_\_\_ day of \_\_\_\_\_, 1984, by the District Court of Maryland for Howard County,

ORDERED, that the Defendants, Charles E. Ellis and Gertrude, S. Ellis, his wife, immediately cease and desist the use and occupancy of the premises known as 6608 Allen Lane, Columbia, Maryland, until such time as the septic system is pumped and sealed; and it is further

ORDERED, that the Defendants must seal and pump the septic system located at 6608 Allen Lane to the satisfaction of the Howard County Health Department within 24 hours from the date of this Order; and it is further

ORDERED, that the Plaintiff and its agents, employees, and representatives be, and the same hereby are, granted access over and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, without liability to the Defendants, for the purposes of inspecting the soil and the repairs to the septic system; and it is further

ORDERED, that the Defendants, or their agents, employees or tenants, be, and the same hereby are, permanently enjoined from interfering with the Plaintiff's actions in inspecting

the soil and septic system repairs, upon penalty of criminal contempt of this Court; and it is further

ORDERED, that the Defendants have their septic tank pumped out by a licensed scavenger at least once a month at their expense; and it is further

*as often as necessary to keep Septic from overflowing*

ORDERED, that the Defendants pay all costs of this action.

---

JUDGE

*Provide a provision to connect to the sanitary sewer as soon as it is available.*

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

Timothy E. Welsh  
County Solicitor

October 5, 1984

The Honorable James H. Clark  
Chairman, Health Board  
George Howard Building  
Ellicott City, Maryland 21043

Re: Howard County, Maryland  
v. Charles E. Ellis and  
Gertrude S. Ellis

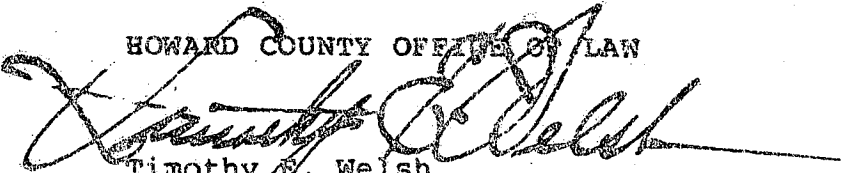
Dear Mr. Clark:

Enclosed please find a copy of the Petition for Injunctive and Other Appropriate Relief and Final Decree, filed this date with the District Court for Howard County in the above-referenced matter.

I will keep you informed of the proceedings as they occur.

Very truly yours,

HOWARD COUNTY OFFICE OF LAW

  
Timothy E. Welsh  
County Solicitor

TEW:wp

Enclosure

cc: Members of the Health Board  
Dr. Joyce Boyd, Executive Secretary  
Robert Sheesley  
F. Todd Taylor, Jr., Esq.

HOWARD COUNTY, MARYLAND	:	IN THE
A Body Corporate and Politic	:	DISTRICT COURT
George Howard Building	:	
3430 Courthouse Drive	:	OF MARYLAND
Ellicott City, Md 21043	:	
Plaintiff	:	FOR
v.	:	HOWARD COUNTY
CHARLES E. ELLIS and	:	
GERTRUDE S. ELLIS, his wife	:	
6608 Allen Lane	:	
Columbia, Md 21045	:	
Defendant	:	Case No. _____
:	:	:
:	:	:
:	:	:

PETITION FOR INJUNCTIVE AND  
OTHER APPROPRIATE RELIEF

Plaintiff, HOWARD COUNTY, MARYLAND, by its attorneys, Timothy E. Welsh, County Solicitor, and F. Todd Taylor, Jr., Assistant County Solicitor, hereby respectfully petitions this Court for injunctive or other appropriate relief and for reasons states as follows:

1. The Defendants are the fee simple owners of real property located at 6608 Allen Lane, Columbia, Maryland, as indicated in Tax Map 37, Block 19, Parcel 475, and more particularly described in a deed dated and recorded in Liber 368, Folio 679, of the Land Records of Howard County. A copy of this deed is attached to this Petition as Exhibit 1.
2. The Defendants maintain a residential dwelling on the property with a septic tank and drain field to handle sewage discharge.
3. On June 8, June 27, July 7, and July 26, 1983, the Howard County Health Department inspected the property and determined that the existing private sewerage system was a potential threat and hazardous to the public health.
4. On July 13, 1983, the Defendants were notified that they would be required to (a) secure a repair permit from the

Health Department; (b) open the ground for an inspection by the Health Department; and (c) repair their septic system.

5. Following a hearing, the Board of Health, on June 7, 1984, pursuant to their authority, issued a Decision and Order directing the Defendants to correct the overflowing private septic system. (A copy of this Order is attached hereto, incorporated herein by reference, as marked as Exhibit 2.)

6. Defendants have refused and continue to refuse to take the required action to correct the hazard their septic system is causing to the public health.

7. Plaintiff is charged with the duty to enforce all provisions of the Howard County Code, including Section 12.111, and invokes the jurisdiction of this Court pursuant to Section 4-401(7) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

WHEREFORE, the Plaintiff respectfully requests the Court to issue an Order:

A. Requiring the Defendants, at their expense, to immediately seal and pump out their faulty septic tank within 24 hours from the date of the Order;

B. Allowing the Plaintiff's agents and employees access to and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, to perform any and all necessary inspections;

C. Prohibiting the Defendants or their agents and employees from interfering with the Plaintiff's representatives during their inspections;

D. Prohibiting the Defendants from leasing, renting, occupying or otherwise using the property until such time as the septic tank is sealed;

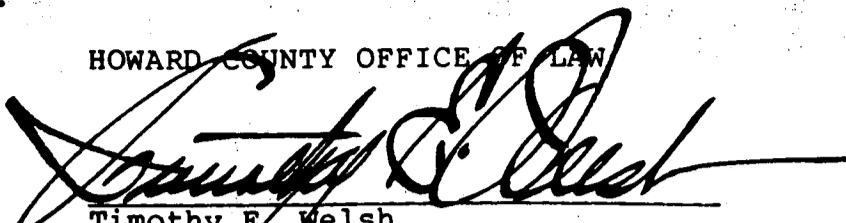
E. Requiring the Defendants, at their expense, to have their septic system pumped monthly by a licensed scavenger; and

F. Granting such further relief as the Court, in its dis-

*All correct on  
last page.*

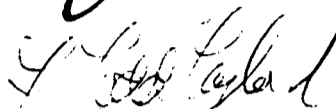
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HOWARD COUNTY OFFICE OF LAW



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County Solicitor



---

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Assistant County Solicitor  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Maryland 21043  
992-2100  
Attorneys for Plaintiff,  
HOWARD COUNTY, MARYLAND

HOWARD COUNTY, MARYLAND  
A Body Corporate & Politic  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Md 21043

Plaintiff

v.

CHARLES E. ELLIS and  
GERTRUDE S. ELLIS, his wife  
6608 Allen Lane  
Columbia, Md 21045

Defendants

: IN THE  
: DISTRICT COURT  
: OF MARYLAND

: FOR

: HOWARD COUNTY

:

:

:

Case No. \_\_\_\_\_

: : : : : : : :

FINAL DECREE

Based upon the evidence produced by the Plaintiff, HOWARD COUNTY, MARYLAND, it is, this \_\_\_\_ day of \_\_\_\_\_, 1984, by the District Court of Maryland for Howard County,

ORDERED, that the Defendants, Charles E. Ellis and Gertrude, S. Ellis, his wife, immediately cease and desist the use and occupancy of the premises known as 6608 Allen Lane, Columbia, Maryland, until such time as the septic system is pumped and sealed; and it is further

ORDERED, that the Defendants must seal and pump the septic system located at 6608 Allen Lane to the satisfaction of the Howard County Health Department within 24 hours from the date of this Order; and it is further

ORDERED, that the Plaintiff and its agents, employees, and representatives be, and the same hereby are, granted access over and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, without liability to the Defendants, for the purposes of inspecting the soil and the repairs to the septic system; and it is further

ORDERED, that the Defendants, or their agents, employees or tenants, be, and the same hereby are, permanently enjoined from interfering with the Plaintiff's actions in inspecting

the soil and septic system repairs, upon penalty of criminal contempt of this Court; and it is further

ORDERED, that the Defendants have their septic tank pumped out by a licensed scavenger at least once a month at their expense; and it is further

*as often as necessary to keep system from overflowing*

ORDERED, that the Defendants pay all costs of this action.

\_\_\_\_\_  
JUDGE

*Provide a provision to connect to the sanitary sewer as soon as it is available.*

# Howard County, Maryland

## Office of Law

3430 Court House Drive  
Ellicott City, Maryland 21043

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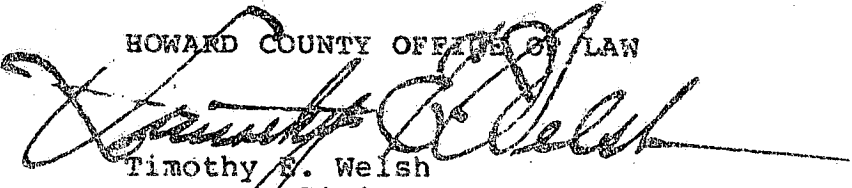
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Very truly yours,

HOWARD COUNTY OFFICE OF LAW

  
Timothy E. Welsh  
County Solicitor

TEW:wp

Enclosure

cc: Members of the Health Board  
Dr. Joyce Boyd, Executive Secretary  
Robert Sheesley  
F. Todd Taylor, Jr., Esq.

HOWARD COUNTY, MARYLAND	:	IN THE
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CHARLES E. ELLIS and	:	
GERTRUDE S. ELLIS, his wife	:	
6608 Allen Lane	:	
Columbia, Md 21045	:	
Defendant	:	Case No. _____
:	:	:
:	:	:
:	:	:

PETITION FOR INJUNCTIVE AND  
OTHER APPROPRIATE RELIEF

Plaintiff, HOWARD COUNTY, MARYLAND, by its attorneys, Timothy E. Welsh, County Solicitor, and F. Todd Taylor, Jr., Assistant County Solicitor, hereby respectfully petitions this Court for injunctive or other appropriate relief and for reasons states as follows:

1. The Defendants are the fee simple owners of real property located at 6608 Allen Lane, Columbia, Maryland, as indicated in Tax Map 37, Block 19, Parcel 475, and more particularly described in a deed dated and recorded in Liber 368, Folio 679, of the Land Records of Howard County. A copy of this deed is attached to this Petition as Exhibit 1.
2. The Defendants maintain a residential dwelling on the property with a septic tank and drain field to handle sewage discharge.
3. On June 8, June 27, July 7, and July 26, 1983, the Howard County Health Department inspected the property and determined that the existing private sewerage system was a potential threat and hazardous to the public health.
4. On July 13, 1983, the Defendants were notified that they would be required to (a) secure a repair permit from the

Health Department; (b) open the ground for an inspection by the Health Department; and (c) repair their septic system.

5. Following a hearing, the Board of Health, on June 7, 1984, pursuant to their authority, issued a Decision and Order directing the Defendants to correct the overflowing private septic system. (A copy of this Order is attached hereto, incorporated herein by reference, as marked as Exhibit 2.)

6. Defendants have refused and continue to refuse to take the required action to correct the hazard their septic system is causing to the public health.

7. Plaintiff is charged with the duty to enforce all provisions of the Howard County Code, including Section 12.111, and invokes the jurisdiction of this Court pursuant to Section 4-401(7) of the Courts and Judicial Proceedings Article of the Annotated Code of Maryland.

WHEREFORE, the Plaintiff respectfully requests the Court to issue an Order:

A. Requiring the Defendants, at their expense, to immediately seal and pump out their faulty septic tank within 24 hours from the date of the Order;

B. Allowing the Plaintiff's agents and employees access to and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, to perform any and all necessary inspections;

C. Prohibiting the Defendants or their agents and employees from interfering with the Plaintiff's representatives during their inspections;

D. Prohibiting the Defendants from leasing, renting, occupying or otherwise using the property until such time as the septic tank is sealed;

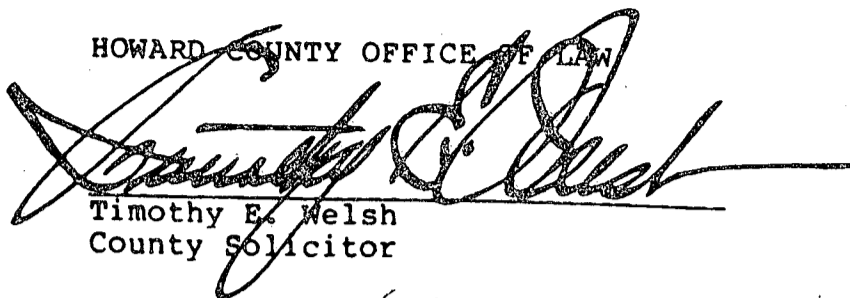
E. Requiring the Defendants, at their expense, to have their septic system pumped monthly by a licensed scavenger; and

F. Granting such further relief as the Court, in its dis-

*All correct on  
last page.*

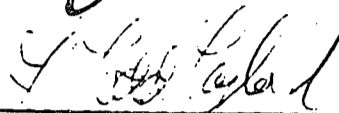
cretion, deems appropriate.

HOWARD COUNTY OFFICE OF LAW



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Timothy E. Welsh  
County Solicitor



---

F. Todd Taylor, Jr.  
Assistant County Solicitor  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Maryland 21043  
992-2100  
Attorneys for Plaintiff,  
HOWARD COUNTY, MARYLAND

HOWARD COUNTY, MARYLAND  
A Body Corporate & Politic  
George Howard Building  
3430 Courthouse Drive  
Ellicott City, Md 21043

Plaintiff

v.

CHARLES E. ELLIS and  
GERTRUDE S. ELLIS, his wife  
6608 Allen Lane  
Columbia, Md 21045

Defendants

IN THE  
DISTRICT COURT  
OF MARYLAND  
FOR  
HOWARD COUNTY

Case No. \_\_\_\_\_

: : : : : : : :

FINAL DECREE

Based upon the evidence produced by the Plaintiff, HOWARD COUNTY, MARYLAND, it is, this \_\_\_\_\_ day of \_\_\_\_\_, 1984, by the District Court of Maryland for Howard County,

ORDERED, that the Defendants, Charles E. Ellis and Gertrude, S. Ellis, his wife, immediately cease and desist the use and occupancy of the premises known as 6608 Allen Lane, Columbia, Maryland, until such time as the septic system is pumped and sealed; and it is further

ORDERED, that the Defendants must seal and pump the septic system located at 6608 Allen Lane to the satisfaction of the Howard County Health Department within 24 hours from the date of this Order; and it is further

ORDERED, that the Plaintiff and its agents, employees, and representatives be, and the same hereby are, granted access over and entry upon the real property located at 6608 Allen Lane, Columbia, Maryland, without liability to the Defendants, for the purposes of inspecting the soil and the repairs to the septic system; and it is further

ORDERED, that the Defendants, or their agents, employees or tenants, be, and the same hereby are, permanently enjoined from interfering with the Plaintiff's actions in inspecting

the soil and septic system repairs, upon penalty of criminal contempt of this Court; and it is further

ORDERED, that the Defendants have their septic tank pumped out by a licensed scavenger at least once a month at their expense; and it is further

ORDERED, that the Defendants pay all costs of this action.

*as often as necessary to keep system from overflowing*

\_\_\_\_\_  
JUDGE

*Provide a provision to connect to the sanitary sewer as soon as it is available.*

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8308B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 982-2330

August 8, 1984

## MEMORANDUM

TO: Todd Taylor  
Assistant County Solicitor

FROM: Frank Skinner, Director *FS*  
Water and Sewerage Program

SUBJECT: Charles Ellis Case, 6608 Allen Lane

On June 7, 1984 The Board of Health ordered Mr. Ellis to seal off the septic tank and have its contents pumped out periodically by a licensed scavenger to eliminate the sewage overflow. Thirty days were allowed for Mr. Ellis to comply with this directive. An inspection of the above referenced site was made on July 12, 1984, and at that time Mr. Williams of this Bureau observed an active sewage overflow. He also spoke with Mrs. Ellis who informed him that no correction had been made and that none would be made.

As Mr. Ellis has failed to comply with The Board of Health's order, I request your office to review this matter and take the necessary action in order that a summons may be secured for the owner to appear at District Court.

I have enclosed an updated chronology of events leading up to our inspection of July 12, 1984.

FS:jr

Enclosure

Chronology - Charles Ellis case, 6608 Allen Lane

- 6/6/83 - Complaint received by Health Department; site check - located overflowing septic system near road.
- 6/8/83 - Site checked with Mr. Ellis by M. T. Joye and C. B. Streaker of Health Department. Memo - copy of 8/3/79 given to Mr. Ellis.
- 6/10/83 - Memo for Dr. Boyd prepared on situation by C. B. Streaker.
- 6/16/83 - Order for repair of septic system at 6608 sent; after discussion with Dr. Boyd.
- 6/27/83 - Survey of area accomplished by Mr. F. Frommelt and Charles B. Streaker of Howard County Health Department.
- 6/29/83 - Note: Meeting in p.m. at Ralph Holbrook's, 6612 Allen Lane, Columbia - see attachments - a. announcement and b. paper article.
- 7/6/83 - Dr. Boyd and Mr. F. Frommelt at site for review of situation.
- 7/7/83 - p.m. - Check of soil in the area of original system located inadequate repair area for the system due to water and/or poor clayish soil.
- 7/13/83 - Order for a sealed unit sent.
- 7/26/83 - Site check - (1) area almost dry; (2) limed at time of inspection; (3) flow non-existent.
- 8/10/83 - Seeping of effluent along road noted at 6608 again.
- 8/10/83 - Memo to Office of Law
- 8/13/83 - Letter sent to Mr. George Larrick at 6604 Allen Lane.
- 9/1/83 - No violation noted at 6604 Allen Lane - Larrick's.
- 9/1/83 - Site check of 6608 Allen Lane, note (1) approximately 15 ft.<sup>+</sup> damp along road only; (2) area limed.
- 9/6/83 - Telephone call from Ms. Russell, Secretary to County Council. C. B. Streaker discussed Ellis problem. Hold for a possible hearing on Charles Ellis at 6608 Allen Lane.
- 10/10/83 - Meeting scheduled with Office of Law - Mr. Todd Taylor, Esq. and Health Department representatives.

NOTE: Numerous telephone calls received on this case from June 6, 1983 to the present.

- 10/24/83 - Hearing by Board of Health on Charles Ellis' appeal. No decision at this time. Health Department to provide information about costs and timetables on various alternative solutions.
- 11/18 & 11/25/83 - Health Department and Public Works Department supply requested data.
- 1/30/84 - Board of Health reviews information and issues 90 day extension before making a decision.
- 4/17/84 - Board of Health issues 90 day extension on corrective order to allow further study, with provisions to shorten extension if conditions warrant.
- 4/18/84 - Soil borings conducted at Ellis property indicating conditions not suitable for soil based septic system repair.
- 6/02/84 - Board of Health issues order to convert to sealed tank within 30 days.
- 6/12/84 - Complaint received by Health Department. Site check reveals no active overflow at this time; but, evidence shows very recent overflow existed.
- 7/12/84 - Inspection as follow-up to corrective order, shows active overflow. No repair attempted; Mrs. Ellis states intention to ignore repair order.

Addendum

- 11/07/84 - Evidence of continued seepage along road observed.
- 11/19/84 - Evidence of continued seepage along road observed.
- 11/21/84 - Evidence of continued seepage along road observed.
- 1/25/85 - Snow cover prevents inspection of area of overflow.

FILE SEPTIC SYSTEM OVERFLOW CORRECTION DATE REPORTED 7/12/84

PROPERTY OWNER ELLIS PHONE NO. \_\_\_\_\_

P. O. ADDRESS LARK BROWN RD

DIRECTIONS TO PROPERTY \_\_\_\_\_

INFORMANT FOLLOW-UP TO 30 DAY AGREEMENT/ORDER TO

CONVERT TO SEPTIC HOLDING TANK AS METHOD OF

ON SITE SEWAGE DISPOSAL.

CONDITION FOUND: ON THIS DATE (JULY 12, 1984) I OBSERVED

WATER SEEPING OUT OF THE GROUND NEAR THE LOWER

RIGHT CORNER OF THE DRIVEWAY. THAT WATER HAD A

SEPTIC SMELL AND SUPPORTED A GROWTH OF ALGAE AND SLIME

THAT INDICATED THE PRESENCE OF SEWAGE.

ACTION TAKEN: I ASKED MRS ELLIS WHAT ATTEMPT HAD BEEN

MADE TO CORRECT THE SEWAGE VIOLATION. SHE SAID THAT

NO CORRECTION HAD BEEN MADE AND THAT NONE WOULD

BE MADE.

I INFORMED HER THAT I WOULD REFER THIS

INFORMATION TO MY SUPERVISOR FOR FURTHER ACTION.

7/18/84 Craig Williams

FINAL DISPOSITION: \_\_\_\_\_

FILE Overflowing Sewage DATE REPORTED 6-12-84  
 PROPERTY OWNER Charles Ellis PHONE NO. \_\_\_\_\_  
 P. O. ADDRESS 6608 Allen Lane  
 DIRECTIONS TO PROPERTY Annetta Gardens  
off Lark Brown  
 INFORMANT George Larrick 799-5231  
6604 Allen Lane (please call  
with results of inspection)

CONDITION FOUND: 6/12/84 (Hot, dry weather conditions for  
2-10-14 days). No active flow at this time, but  
evidence of recent overflow at front of property.  
(Greenish-black residue in front storm  
drainage area.

6/12/84 Visited Larrick home. Spoke with  
family at length. He produced copies of  
 ACTION TAKEN: letters from Mr. Clark, <sup>(County Council)</sup> They stated  
that the problem had been going on  
for 10 years and Mr. Ellis had been  
getting 1 extension after another by  
appeal. B.H.

FINAL DISPOSITION: \_\_\_\_\_



# County Council of Howard County

GEORGE HOWARD BUILDING  
3430 COURT HOUSE DRIVE  
ELLCOTT CITY, MARYLAND 21043-4392  
992-2001

*Frank  
Please file  
read*

## COUNCILMEMBERS

Elizabeth Bobo  
Chairperson  
James H. Clark  
Vice Chairperson  
C. Vernon Gray  
Ruth Keeton  
Lloyd Knowles

Eugene Weiss  
Executive Secretary  
Jeanne E. Stephens  
Administrative Assistant  
Jeanne A. Johnson  
County Auditor

April 17, 1984

Mr. & Mrs. Charles E. Ellis  
6608 Allen Lane  
Columbia, Md. 21045

- RE: 1. Appeal of Health Board  
Order of July 13, 1983 (Ellis)
2. Howard County Board of  
Health letter to Charles E.  
Ellis (Extension) January 30, 1984
3. Howard County Health Department  
letter to Councilman James H. Clark  
(Resurvey) March 23, 1984

RECEIVED  
HOWARD COUNTY  
HEALTH DEPT.  
ELLCOTT CITY, MD.  
APR 25 10 27 AM '84

Dear Mr. Ellis:

The Health Department plans to resurvey the Allen Lane area and conduct further soil evaluations in order to reassess the failing septic system problem on your property and in your area. (See attached letter).

Accordingly, this letter serves notice that the Board of Health has decided to grant another 90 day extension effective April 30, 1984. However, the Board may issue a decision within the extension period if it decides that the public health and welfare require such action.

Sincerely,

James H. Clark  
Chairperson  
Howard County Board of Health

JHC:s:#5690A

cc: Honorable J. Hugh Nichols  
Timothy E. Welsh, Esq.  
George Larrick  
Joyce M. Boyd, M.D. ✓  
Health Board Members

Enclosure

# HOWARD COUNTY HEALTH DEPARTMENT

1984 MAR 27 PM 3:46

*cmk  
BK*

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



HOWARD COUNTY  
BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8306B FORREST STREET  
ELLICOTT CITY, MARYLAND 21043  
TELEPHONE: 892-2330

March 23, 1984

Councilman James H. Clark  
County Council for Howard County  
George Howard Building  
Ellicott City, Maryland 21043

RE: Appeal of Health Board Order  
of July 13, 1983 (Ellis)

Dear Councilman Clark:

This is in reference to the Board of Health hearing regarding the case of Mr. Ellis of Annetta Gardens.

On February 7, 1984, Mr. Robert Sheesley, Director of Environmental Health, and representatives from the Department of Public Works met with staff at the State Department of Health and Mental Hygiene to address the issue of extending public sewer to the Annetta Gardens community.

At that time, the Annetta Gardens segment of the proposed sewer project was included in proposals for two major projects under review by the State Health Department for feasibility and funding. In an effort to accelerate approval for the project that included service to Annetta Gardens, Public Works was given permission to submit that project separately for a more rapid review. While this procedure will assist in reducing the actual time of project to approximately three years, it will not provide an immediate solution to the failing septic system problem which presently exists.

In the interim, we have decided to resurvey the Allen Lane area and conduct further soil evaluations in order to reassess this problem. This additional evaluation will provide information which would allow us to determine if innovative or alternative waste disposal systems can be used to alleviate sewage discharges on the Ellis property and all other properties on Allen Lane experiencing similar problems.

If you have any questions regarding this matter, please contact me.

Very truly yours,

Joyce M. Boyd, M.D.

Frank  
Review - file  
FOLLOW-UP  
JULY 7, 1984  
30 days  
Bob

IN THE MATTER OF THE APPEAL : BEFORE THE  
OF MR. & MRS. CHARLES E. ELLIS :  
FROM AN ORDER OF THE HOWARD : BOARD OF HEALTH FOR  
COUNTY HEALTH DEPARTMENT RE- :  
QUIRING THEM TO CONNECT THEIR : HOWARD COUNTY, MARYLAND  
PROPERTY TO THE PUBLIC SEWER :  
:

.....

DECISION AND ORDER

The Board of Health for Howard County met on October 24, 1983, for the purpose of considering the appeal of Mr. & Mrs. Charles E. Ellis, 6608 Allen Lane, Columbia, Maryland 21044, who were appealing an Order from the Howard County Health Department to either seal their existing concrete septic tank and pump or install a new concrete holding tank and pump until public sewer becomes available near their property. This Order was expressed in a letter from Charles B. Streaker, Sanitarian, to Mr. & Mrs. Charles E. Ellis, and was dated July 13, 1983. The hearing was advertised pursuant to the Rules of Procedure of the Board of Health for Howard County. The matter was investigated pursuant to the Howard County Code Section 12.104. Upon a finding that the place complained of was in a condition injurious to health, the procedure prescribed in Howard County Code Section 12.111 was instituted and is being followed.

Board members present were Elizabeth Bobo, Chairperson (Chairperson Bobo was replaced in December, 1983 by James H. Clark as Chairperson of the Health Board), James H. Clark, (present Chairperson), C. Vernon Gray, Ruth Keeton and Lloyd Knowles. F. Todd Taylor, Jr., Assistant County Solicitor for Howard County represented the Howard County Health Department. Mr. & Mrs. Ellis were not represented by counsel at the hearing.

WITNESSES

For Appellee: Charles B. Streaker, Sanitarian, Community Hygiene Program.

For Appellants: Mr. Charles E. Ellis.

EXHIBITS

For Appellee: Exhibits A-L, 12 pictures submitted into evidence showing various scenes depicting the problem; Exhibit M, Health Department letter of July 13, 1983 from Charles B. Streaker to Mr. & Mrs. Charles E. Ellis; Exhibit N, letter from Dr. Joyce Boyd, County Health Officer to F. Todd Taylor, Jr., Assistant County Solicitor of November 25, 1983; Exhibit O, memorandum from George F. Neimeyer, Director of the Department of Public Works to Dr. Joyce Boyd of November 18, 1983, public sewer service for Annetta Gardens; Exhibit P, letter from Dr. Joyce Boyd, to Mr. James H. Clark, Chairperson, Board of Health, of May 17, 1984, Ellis property--6608 Allen Lane, Columbia, Maryland.

HEARING

The first and only person to testify for the Health Department was Charles B. Streaker, Sanitarian, Community Hygiene Program, for the Howard County Health Department. He testified that on June 6, 1983, the Health Department received a complaint of an overflowing septic system near the road on property located at 6608 Allen Lane, Columbia, Maryland 21044. Mr. Streaker testified that on June 8, 1983, he inspected the Ellis property. He discussed the problem with Mr. Ellis and gave him a copy of a Health Department memo dated August 3, 1973 which had noted a similar situation concerning the Ellis property. Mr. Streaker testified that on June 27, 1983 he surveyed the Ellis property and noted problems of an environmental nature. On July 7, 1983, Mr. Streaker checked the soil

around the area of the septic system located on the Ellis property and found it inadequate to support a new system. He testified that the soil was questionable, in that there was limited soil absorption. He testified that at that time, he told Mr. Ellis of two options to correct the problem: (1) to seal the existing tank, or (2) install a new concrete holding tank. On July 13, 1983, Mr. Streaker signed the letter to Mr. & Mrs. Charles E. Ellis, in which he stated that the present overflowing septic system created a condition which was, or may be hazardous to the public health and he ordered the Ellises to do one of the following, since pumping of the existing system has not stopped the sewage effluent from breaking out into the surface: (1) seal the existing concrete tank and pump, or (2) install a concrete holding tank and pump until same public sewer becomes available within ten days of receipt of the notice. On July 26, 1983, Mr. Streaker again checked the Ellis property. The area was almost dry and portions of the land showed lime at the time of inspection. The flow was non-existent. Mr. Streaker testified that on August 10, 1983, while inspecting the Ellis property, he noted seeping effluent on the property near the road. On September 1, 1983, the site was again checked and Mr. Streaker noted approximately 15 feet of damp area on the property near the road. The area had been limed. Mr. Streaker testified that 12 pictures which were admitted into evidence, Exhibits A-L were taken on July 26, 1983. The pictures showed various scenes on the Ellis property depicting the problem. Finally, Mr. Streaker testified that from June 6, 1983 to October 24, 1983, the date of the Health Board hearing, the Health Department had received numerous telephone calls inquiring about the matter.

On cross-examination by Board member Clark, Mr. Streaker testified that the Ellises had lived on the property for approximately 22 years. That there had been earlier septic system problems on the Ellis property beginning in the 1960's and as current as June, 1979. The bottom line was that attempted repairs had not lasted. Mr. Streaker further testified that the problem appears to surface during the month of June because more people are outside and there is a greater opportunity to note the problem. Mr. Streaker stated that the problem is that sewage is seeping out of a trench near the property. A high water table contributes to the problem but the existence of seepage cannot be denied. He stated that relocation of the leach bed appears impractical. He also described a field septic unit as a large concrete tank with one opening for acceptance from the home. Sewage stays there until pumped out by a scavenger truck.

On cross-examination by Health Board Chairperson Bobo, Mr. Streaker testified that all of the complaints had come from one neighbor who lives close to the site. He also testified that the running or seeping sewage is a hazard because of the danger of water born diseases being carried to humans. For example, flies may light on the effluent and spread communicable diseases. Also children may not avoid the area, or vermin may transmit diseases. He also testified that the Health Department had recommended repair of the septic system to the Ellises in 1973 and in 1979. He testified that public sewer is estimated as 3 years away. Also he testified that a small treatment plant was recommended for the area in 1979 by Dr. Boyd the Health Officer.

On cross-examination by Board member Keeton, Mr. Streaker testified that a replacement septic tank appears impractical.

because approximately 3 to 4 feet below the soil the sand is saturated.

On cross-examination by Board member Knowles, Mr. Streaker testified that the property is located in the Annetta Gardens subdivision. He further testified that the circumstances appear to require the conversion of the existing system to a closed one.

Upon cross-examination by Appellant Mr. Ellis, Mr. Streaker testified that approximately 50-60% of the homes in the area have a problem. Mr. Streaker further testified that Mr. Ellis has been singled out because of the larger quantity of effluent on his property and the prior documentation of the problem.

Mr. Ellis was without counsel, however, he testified that the ground was not perked properly when the homes were built. He stated the homes should have been built on 2-3 acres lots, not the existing 1 acre lots. He testified that he had attempted repairs over the years but to no avail. He testified that public sewers were all around his area in Columbia. He stated that taxes had increased from \$200 in 1961 to \$1,000 in 1983. He questioned why when sewers are near that he has to put in a new sewer. He stated that he does not have the money, that he just paid \$1,250 for a new roof. He testified that his wife has a health problem and the doctors are not sure what it is.

Health Board members directed questions to but were unable to receive answers from the Health Department concerning the following questions:

1. The present schedule for the availability of the public sewer system to Annetta Gardens, and whether the schedule for delivery of that service could be accelerated.

2. What feasible alternatives to public sewer exist?
3. The status of a proposal of Dr. Boyd for a private community sewer system mentioned in her letter to the County Executive J. Hugh Nichols on August 3, 1979.
4. The cost of connecting the Ellis System to a sealed septic tank and the monthly maintenance costs.

At the conclusion of the hearing, Health Board Chairperson Elizabeth Bobo stated that the record would be left open in order for the Health Department to answer the above questions and to provide the answers to the Health Board. Further, Mr. & Mrs. Ellis were to receive copies of any reports sent to the Health Board by the Health Department.

#### POST-HEARING ACTIVITIES

The questions pertaining to public sewer service were answered in a memorandum dated November 18, 1983, from George F. Neimeyer, Director of the Department of Public Works to Dr. Joyce Boyd, the Health Officer. The questions concerning the cost of connecting the Ellis system to a sealed septic tank was answered in a letter dated November 25, 1983, from Dr. Joyce Boyd to F. Todd Taylor, Jr., Assistant County Solicitor.

In his memorandum, Mr. Neimeyer stated that public sewer service will be provided to Annetta Gardens upon the completion of construction of sanitary sewers under Capital Project S-6053 Dorsey Run Interceptor and Collectors as well as completion of Capital Project S-6071 Dorsey Run Pump Station, Force Main Interceptor and Collectors. Taken into consideration design completion, land acquisition completion, grant funding approval and signatures, permits, bid and award and construction, both projects could be in service on or about May 15, 1988. However, without grant funding and taking into account the same factors already mentioned, with grant funding, the

estimated in service date would be July 1, 1986. The Department of Public Works has accelerated the schedule by designing and acquiring the necessary rights-of-way while the facilities plan is being revised. The Department has also stated that when the design, land acquisition and permit process is complete, the Department will review the grant funding status and make recommendations to the County Executive on whether to wait for the grant funding or to proceed with only County funding.

Mr. Neimeyer further stated in his letter, that alternatives to the public sewer system are onsite disposal which is supervised by the Health Department. He stated that presently onsite disposal is limited to septic systems although a number of innovative technical alternatives are available.

Concerning the status of the proposal by Dr. Boyd for a private community sewer system as stated in her letter of August 3, 1979, Mr. Neimeyer stated that in August, 1979, the Department of Public Works was proceeding with the facilities plan. The fiscal year 1980 Capital Budget was effective in July, and Capital Project S-6053 was part of the five year capital improvement program. The water main in Lark Brown Road and Allen Lane was under construction. Mr. Neimeyer further stated that the Annetta Gardens community is similar to other communities in having a small number of houses, some of which are experiencing failing septic systems. Installing a package sewage treatment plant is not the correct solution as the County then would have a number of package sewage treatment plants without having two interceptor sewers constructed. Then future subdivisions would be built when the septic systems fail, the County either would install more package plants or would construct the interceptor sewers.

Package plants require an NPDES permit from the State and a site must be acquired. Also, package plants are expensive to operate and maintain.

In response to the question of how much would it cost to convert the Ellis system to a sealed septic tank and what would the monthly maintenance cost be, Dr. Boyd in her letter stated that, "The estimated conversion of the Ellis system to a sealed tank would be approximately \$400 providing the existing tank is water tight or could be made water tight. If it would be necessary to install an entire new tank, there would be an increase of approximately \$700. Based on water usage, servicing of this sealed tank would cost approximately \$100 per month.

At the December, 1983 legislative session Councilman James H. Clark was elected Chairperson of the Board of Health for Howard County. In a letter January 30, 1984, Chairperson Clark informed the parties that a 90-day extension of time effective that date was necessary before issuing a decision in the Ellis matter. In a letter dated April 17, 1984, Chairperson Clark informed Mr. Ellis that the Health Department planned to resurvey the Allen Lane area and to conduct further soil evaluations in order to re-assess the failing septic system problem on Mr. Ellis's property and in that area. The letter also notified Mr. Ellis that the Board of Health had decided to grant another 90-day extension effective April 30, 1984, extending the period to July 30, 1984, however, the Board reserved the right to issue a decision within the extension period if it decided that the public health and welfare required such action.

#### FINDINGS OF FACT

1. The property of Mr. & Mrs. Ellis at 6608 Allen Lane,

Columbia, Maryland 21044, presently utilizes an individual septic system.

2. The Board accepts the testimony presented that the septic system is overflowing, resulting in a discharge of effluent on his property.

3. The Board accepts the testimony presented that this overflowing septic system is in such a condition that it creates a public nuisance which is dangerous to human health.

4. The Board accepts the evidence presented that Charles B. Streaker, Sanitarian, Community Hygiene Program, Howard County Health Department ordered the Ellises to either: 1. seal the existing concrete tank and pump; or 2. install a new concrete holding tank and pump, until the public sewer becomes available, within 10 days of receipt of a letter dated July 13, 1983.

5. The Board accepts the testimony presented that the Ellises have attempted to correct the problem posed by the failing septic system, however, the problem still exists.

6. The Board accepts as evidence presented that the Health Department resurveyed the Ellis property and conducted further soil evaluations in order to re-assess the problem. On April 18, 1984, soil borings were performed in front of and behind the Ellis house. Heavy clay, with a high water table at 3 feet below grade was observed in the boring behind the house. In the front yard, heavy clay was observed from the surface to 2-1/2 feet, with some sandy clay below to 4 feet where the auger was rejected due to gravel or stone. This area is also characterized by springs which contribute to the flow of water off the site. In light of the above conditions, repair of the septic system including an elevated mound or a shallow trench disposal system is not feasible.

7. The Board accepts the evidence presented that the house should be connected to the sanitary sewage system as soon as possible. However, in order to correct the hazard to the public health, in the interim, the septic tank must be sealed off and its contents pumped out periodically by a licensed scavenger to eliminate the current sewage overflow.

#### CONCLUSIONS OF LAW

Based on the testimony and exhibits received into evidence, the Health Board for Howard County concludes the following:

1. That the private septic system presently utilized by the Ellises on the property at 6608 Allen Lane, Columbia, Maryland 21044 is failing, and is in such a condition that it is dangerous to health in accordance with the Howard County Code Sections 12.104 and 12.111.

2. That in accordance with the Howard County Code Section 12.111, the Board of Health for Howard County may order abatement of an unhealthy nuisance or other condition dangerous to health.

#### ORDER

Pursuant to the Howard County Code Section 12.111, it is hereby ORDERED this 7<sup>th</sup> day of June, 1984, as follows:

1. That the order of the Howard County Health Department dated July 13, 1983 is affirmed.

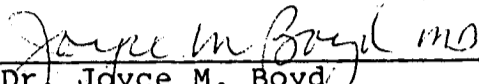
2. That Mr. & Mrs. Charles E. Ellis take the necessary action to connect to the sanitary sewage system as soon as the service becomes available to the Ellis property.

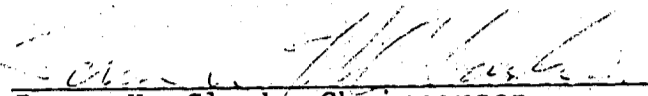
3. That in order to correct the hazard to the public health, in the interim, the septic tank must be sealed off and its contents pumped out periodically by a licensed scavenger

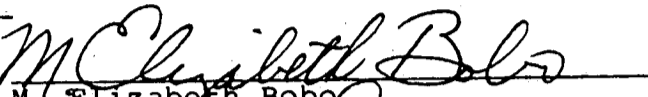
to eliminate the current sewage overflow. This sealing off of the septic tank shall be completed within 30 days of the date of this directive.

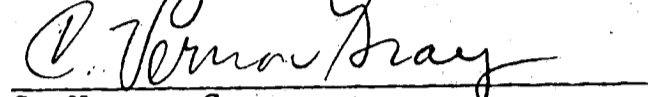
BOARD OF HEALTH OF HOWARD COUNTY

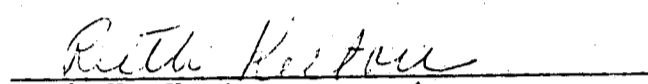
ATTEST:

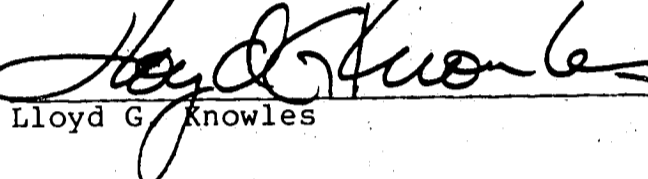
  
Dr. Joyce M. Boyd  
Executive Secretary

  
James H. Clark, Chairperson

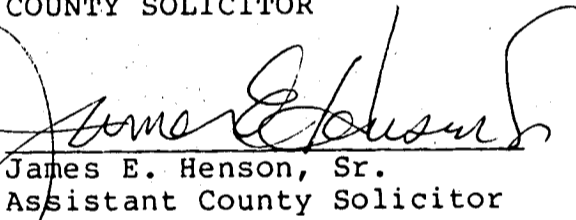
  
M. Elizabeth Bobo

  
C. Vernon Gray

  
Ruth U. Keeton

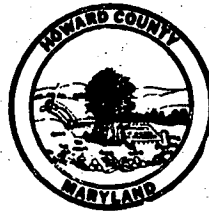
  
Lloyd G. Knowles

PREPARED BY HOWARD COUNTY  
OFFICE OF LAW  
TIMOTHY E. WELSH  
COUNTY SOLICITOR

  
James E. Henson, Sr.  
Assistant County Solicitor

GEORGE F. NEIMEYER  
DIRECTOR  
882-2400

Deaf TDD Number 992-2323



Bureau of Engineering  
William E. Riley, Chief  
Bureau of Environmental Services  
James M. Irvin, Chief  
Bureau of Facilities  
John Zitnyer, Chief  
Bureau of Highways  
Granville W. Wehland, Chief  
Bureau of Inspections, Licenses, and Permits  
M. Robert Gemmill, Chief  
Bureau of Utilities  
Robert M. Beringer, Chief

*Sheetsley*  
*Frank J. S.*  
*Kevin & Silo*  
*RS*  
*Annetta Gardens*

DEPARTMENT of PUBLIC WORKS of HOWARD COUNTY  
3430 COURT HOUSE DRIVE, ELLICOTT CITY, MARYLAND 21043

February 23, 1984

Mr. Dane Bauer  
Program Administrator  
Inspection and Compliance Program  
Department of Health & Mental Hygiene  
201 West Preston Street  
Baltimore, Maryland 21201

Dear Mr. Bauer:

Subject: Dorsey Run Sewer Facilities  
to Serve Annetta Gardens

Reference is made to our meeting of February 7, 1984 concerning the above subject. As discussed at the meeting, there are two County capital projects which must be placed into service in order to provide sewer service to Annetta Gardens. They are Capital Project S-6071, Dorsey Run Pump Station, Force Main and Interceptor (to be constructed under Contract 678-S for the pump station and Contract 679-S for the force main and interceptor), and Capital Project S-6053, Dorsey Run Interceptor and Collectors I-95 to Pfeiffer Corners (contract numbers to be identified at a later date).

As discussed, we are transmitting the attached schedule showing action needed by the State Department of Health and Mental Hygiene for these two capital projects. The schedule shows the construction permit submittal separately from the grant application submittal for two reasons. First, the contract documents will be completed and the technical review can be made by the State prior to Facility Plan approval. Second, in the event the projects are determined not to be eligible for grant funds, the schedule need only be altered by eliminating the grant application submittal.

At our meeting, you asked how the State could assist in getting these projects built to eliminate overflowing septic systems. The State can provide assistance by giving the Facility Plan and the related projects a rapid high priority review, ensuring that all State criteria are met.

If you have any questions, please contact me.

Very truly yours,

*James M. Irvin*

James M. Irvin, Chief  
Bureau of Environmental Services

JMI/mcs  
cc: Earl Quance  
Robert Sheesley  
File

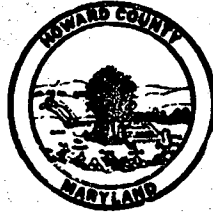
WASTE-NOT



RECYCLE

GEORGE F. NEIMEYER  
DIRECTOR  
992-2400

Deaf TDD Number 992-2323



DEPARTMENT of PUBLIC WORKS of HOWARD COUNTY  
3430 COURT HOUSE DRIVE, ELLICOTT CITY, MARYLAND 21043

Bureau of Engineering  
William E. Riley, Chief  
Bureau of Environmental Services  
James M. Irvin, Chief  
Bureau of Facilities  
John Zitnyar, Chief  
Bureau of Highways  
Grenville W. Wehland, Chief  
Bureau of Inspections, Licenses, and Permits  
M. Robert Gemmill, Chief  
Bureau of Utilities  
Robert M. Beringer, Chief

*Sheehy*  
*Frank S. file*  
*For Annetta Gardens*

February 22, 1984

Mr. Earl Quance  
Program Administrator  
Dept. of Health & Mental Hygiene  
O'Connor Building, 2nd Floor  
201 West Preston Street  
Baltimore, Maryland 21201

Dear Mr. Quance:

On February 7, 1983, myself and other representatives from our Department of Public Works and County Health Department met with Dane Bauer to discuss the construction scheduling of sewerage facilities in the Dorsey service area. As you are aware, grant funding for projects in this service area is contingent upon completion and approval of the Patuxent 201 Facility Plan. Approval of the Facility Plan may be delayed until as late as the end of 1986 if preparation of an EIS is required. To expedite construction of the Dorsey Run sewerage facilities, specifically the Dorsey Run pump station, Mission Road collector system, Annetta Gardens collection system, and Dorsey interceptor north of Interstate Route 95, it is our intention to complete the portion of the Facility Plan for the Dorsey service area prior to completion of the remainder of the Plan. We anticipate that the Dorsey service area portion of the draft Plan will be submitted for your preliminary review by early June, 1984.

We are requesting that this portion of the Facility Plan be reviewed and approved by your office under the "prior approval" provisions of the construction grant regulations. We have been informed by Ruth Mathes that a public information meeting will be required to address treatment and conveyance alternatives prior to draft Plan submission to your office. After preliminary State review, a public hearing would be scheduled prior to submission of a final Plan for approval. Timely construction of the Dorsey service area facilities is important for several reasons. First, the Annetta Gardens and Mission Road communities have extensive septic system failures. Second, the Dorsey pump station is required to divert flows from the Jessup Treatment Plant which is currently not complying with its NPDES permit. The planned expansion of the Jessup Plant will not include capacity for flows from the Dorsey interceptor. Third, construction of the pump station is necessary to allow the lifting of the current moratorium on increased flows in the Dorsey interceptor.

WASTE-NOT  RECYCLE

Mr. Earl S. Quance

February 22, 1984  
Page 2

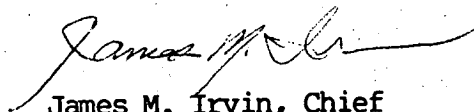
We have been previously informed that six months should be allowed for the review of Facility Plans by your office. Given the immediate need for the above mentioned facilities, it is requested that, once submitted, the Facility Plan be reviewed as expeditiously as possible. At Mr. Bauer's request, we have prepared what we feel is a reasonable implementation schedule for the various projects. This schedule is attached for your review.

Note that to provide sewer service to Annetta Gardens, two County Capital Projects must be placed into service:

1. Capital Project S-6071 - Dorsey Run pump station force main, and interceptor (to be constructed under Contract 678-S for the pump station, and under Contract 679-S for the force main and interceptor).
2. Capital Project S-6053 - Dorsey Run interceptor from I-95 to Pfeiffer Corners and Annetta Gardens collectors (contract numbers not yet established).

Should you have any questions or desire to discuss this matter further, please contact me at your convenience.

Very truly yours,



James M. Irvin, Chief  
Bureau of Environmental Services

JMI/mcs

Attachment

cc: Richard Sellars  
Dane Bauer  
Allen Coulter  
George F. Neimeyer  
Allen S. Brown  
John J. O'Hara  
Robert Sheesley  
File

mtg. One Bauer,

H. C. Eric Lewis  
Amie  
D'Wane

- Mission Road System
- Dorsey Pump System
- Dorsey Interceptor

Prior to 1972

- limited to 108,000 gallons at Jessup
- 1971-1972 agreement with state increasing capacity as a result of Wholesale Food Facility

area

- To get additional capacity Dorsey Pump Station to lift to storage is needed.

Take up in facility plan

Agreement n/a on force main and pump station design is also complete.

\* needed approval for (Grant) Facility plan

\* Approval of construction plan - states

\* Acquisition of n/a for Interceptor since 1985

Construction ————— July 1986

Pump Station - May of 1986

if facility plan is not approved, the county would have to proceed on its own.

Interceptor / pump station will proceed regardless of funding.

\* Question is the additional extension to Annette Gardens

Dorsey Pump Facility Plan - Separate from Patuxent Fac. Plan

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8308B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 982-2330

November 25, 1983

TO: F. Todd Taylor, Jr.,  
Assistant County Solicitor

FROM: Dr. Joyce M. Boyd  
Health Department

RE: Howard County Health Department vs.  
Charles E. Ellis

## Supplemental Information Requested:

1. What is the present schedule for the availability of the public sewer system to Annetta Gardens?
  - The present schedule for sewer service to the area is three through five years per attached sheet from the Howard County 1983 Comprehensive Sewage Plan.
3. Do any alternatives to the public sewer system exist?
  - Alternative to public sewer system are:
    - A. Sealed Tank System \$400<sup>±</sup> estimated conversion.
    - B. Low Pressure Pipe System \$2000<sup>±</sup> estimated conversion.
    - C. Mound System \$4500<sup>±</sup> estimated conversion.

## Brief Description of Alternative Systems

### A. Sealed System

- remove the outlet pipe and seal the hole
- install an alarm device with an electrical or manual visual float device
- secure a contract with a licensed scavenger to empty the tank as needed.

B. Low Pressure Pipe

- install a pump pit at the outlet of the septic tank to collect the effluent and house the pump
- install a series of shallow, narrow graveled trenches (approximately 18 inches deep and 6 inches wide)
- install a small diameter pipe approximately 1/3 deep in the gravel (pipe size 1 - 1½ inch diameter with 1/8 inch holes).

C. Mound System

- connect a dry sump to the outlet of the septic tank to house a pump and to collect and lift sewage effluent
- build a 3 - 3½ foot high mound approximately 75 foot square with sand (usually purchased)
- install shallow graveled drainfield trenches in the sandy mound
- cap completed mound and trench system with top soil 6 - 8 inches deep to grow cover grass.

5. How much would it cost to convert the Ellis system to a sealed septic tank and what would the monthly maintenance cost be?

- The estimated conversion of the Ellis system to a sealed tank would be approximately \$400 providing the existing tank is watertight or could be made watertight. If it would be necessary to install an entire new tank there would be an increase of approximately \$700. Based on water usage, servicing of the sealed tank would cost approximately \$100 per month.

Questions #2 and 4 will be responded to by the Department of Public Work.

JMB:ag

November 25, 1983

TO: F. Todd Taylor, Jr.,  
Assistant County Solicitor

FROM: Dr. Joyce M. Boyd  
Health Department

RE: Howard County Health Department vs.  
Charles E. Ellis

Supplemental Information Requested:

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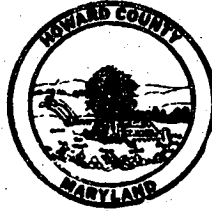
Questions #2 and 4 will be responded to by the Department of Public Work.

JMB:ag

*The low Pressure Pipe & Mound Systems would require a percolation test to be performed before approval, We do not know whether the soil would pass*

GEORGE F. NEIMEYER  
DIRECTOR  
992-2400

Deaf TDD Number 992-2323



Bureau of Engineering  
William E. Riley, Chief  
Bureau of Environmental Services  
James M. Irvin, Chief  
Bureau of Facilities  
John Zitnyer, Chief  
Bureau of Highways  
Granville W. Wehland, Chief  
Bureau of Inspections, Licenses, and Permits  
M. Robert Gemmill, Chief  
Bureau of Utilities  
Robert M. Beringer, Chief

DEPARTMENT of PUBLIC WORKS of HOWARD COUNTY  
3430 COURT HOUSE DRIVE, ELLICOTT CITY, MARYLAND 21043

November 18, 1983

MEMORANDUM

TO: Dr. Joyce M. Boyd  
County Health Officer

FROM: George F. Neimeyer  
Director

SUBJECT: Public Sewer Service for Annetta Gardens

This memorandum is in response to your request for information regarding the above subject and the condemnation of Mr. Ellis' septic system. Your questions and our answers are listed below:

1. What is the present schedule for public sewer service for Annetta Gardens?

Answer: Public sewer service will be provided upon the completion of construction of sanitary sewers under Capital Project S-6053 Dorsey Run Interceptor and Collectors as well as completion of Capital Project S-6071 Dorsey Run Pump Station, Force Main, Interceptor and Collectors. The County is trying to get Federal and State funding for the two capital projects. Sewage treatment in the Dorsey Run drainage area is limited to 108,000 gallons at the State House of Correction facility. At the present time, this capacity is either being utilized or has been allocated. The County has been planning to divert all the sewage in the Dorsey Run drainage area to the Little Patuxent Wastewater Treatment Plant at Savage. Capital Project S-6071 has been under way for a number of years. Construction of the pump station was not previously approved for Federal and State grant funding assistance because of the desire to have the facilities plan completed. The County went ahead with the program funding, grant application, grant approval, and started the facilities plan, but the County could not complete the facilities plan because the State of Maryland did not have water quality standards for the Little Patuxent River. By the time the State of Maryland established those standards, it was necessary for the County to revise the facilities plan. When the County submitted an application to the State Department of Health and Mental Hygiene to amend the grant for the facilities plan, it took the State 14 months to process and approve the grant amendment. We are now revising the facilities plan, and the scheduled submittal date to the State is January, 1985 which allows time for public participation required by the law. We expect that the facilities plan will be approved, after State and Federal review of the facilities plan plus additional information required by that review, in January, 1986. The grant application for Capital Projects S-6053 and S-6071 will be processed thereafter.

WASTE-NOT



RECYCLE

Two schedules, with and without Federal and State funding assistance, are shown:

<u>Item</u>	<u>With Grant Funding</u>	<u>Without Grant Funding</u>
<u>Capital Project S-6053</u>		
Design completion	8/1/84	8/1/84
Land acquisition completion	4/1/85	4/1/85
Grant funding approval & signatures	10/15/86	- -
Permits	8/1/84-11/1/84	8/1/84-11/1/84
Bid and award	10/15/86-1/15/87	8/1/85-6/30/85
Construction	1/15/86-1/15/88	7/1/85-7/1/86
In service	5/15/88	7/1/86
<u>Capital Project S-6071</u>		
Design completion	7/1/84	7/1/84
Land acquisition completion	12/1/83	12/1/83
Grant funding approval & signatures	10/15/86	- -
Permits	7/1/84-11/1/84	7/1/84-11/1/84
Bid and award	10/15/86-2/15/87	11/1/84-3/1/85
Construction	2/15/87-5/15/88	3/1/85-6/1/86
In service	5/15/88	6/1/86

2. Can the schedule be accelerated, and if so, by what means?

Answer: The schedule is being accelerated by designing and acquiring the necessary rights of way while the facilities plan is being revised. The Department has stated that when the design, land acquisition and permit process is complete, the Department will review the grant funding status and make recommendations to the County Executive on whether to wait for the grant funding or to proceed with only County funding.

3. Do any alternatives to the public sewer system exist?

Answer: Alternatives to the public sewer system are on site disposal which are under your department. Presently on site disposal is limited to septic systems although a number of innovative technical alternatives are available.

4. What happened to the proposal by Dr. Boyd for a private community sewer system as stated in her memorandum dated August 3, 1979?

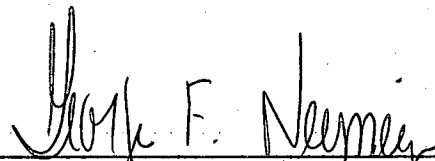
Answer: In August, 1979, the Department of Public Works was proceeding with the facilities plan. The Fiscal Year 1980 Capital Budget was effective in July, and Capital Project S-6053 was part of the Five Year Capital Improvement Program. The water main in Lark Brown Road and Allen Lane was under construction.

The Annetta Gardens community is similar to other communities in having a small number of houses, some of which are experiencing failing septic systems. Installing a package sewage treatment plant is not the correct solution as the County then would have a number of package sewage treatment plants without having the interceptor sewers constructed. Then future subdivisions would be built on septic systems which, when the septic systems fail, the County either would install more package plants or would construct the interceptor sewers. Package plants require an NPDES permit from the State and a site must be acquired. Also, package plants are expensive to operate and maintain.

GFN/Ba

cc: Todd Taylor  
William E. Riley  
James M. Irvin  
Allen S. Brown

L2A12/14

  
George F. Neimeyer

(Hold for M.F.F.)



HOWARD COUNTY GOVERNMENT  
ROUTING SLIP

Date 11/23/83

THE ATTACHED PAPERS ARE REFERRED

To BRIAN STREAKER

From ALLEN BROWN

Ref. ANNETTA CAUDRELL'S SUNDAY

FOR THE PURPOSE INDICATED BY THE CHECK

- Please note and file
- Please note and return to me
- Please note and see me about this
- Please answer sending me copy of your letter
- Please prepare reply for my signature
- To be signed
- For your information
- Immediate action desired
- Your comments, please
- For your appropriate action
- For your approval
- Per your request
- For distribution

REMARKS:

Dr. Joyce M. Boyd

Subject: Public Sewer Service for Annetta Gardens

November 18, 1983

Page 2

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Permits	7/1/84-11/1/84	7/1/84-11/1/84
Bid and award	10/15/86-2/15/87	11/1/84-3/1/85
Construction	2/15/87-5/15/88	3/1/85-6/1/86
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Dr. Joyce M. Boyd  
Subject: Public Sewer Service for Annetta Gardens

November 18, 1983  
Page 3

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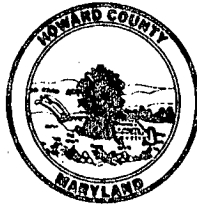
GFN/Ba

cc: Todd Taylor *Office of Law*  
William E. Riley  
James M. Irvin  
Allen S. Brown

L2A12/14

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8306B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

November 8, 1983

TO: Mr. F. Todd Taylor, Jr., Esquire  
Assistant County Solicitor

THROUGH: Mr. Fred Frommelt  
Acting Director, Community Hygiene Program

FROM: Charles B. Streaker, Sanitarian  
Community Hygiene Program

RE: Howard County Health Department vs. Charles E. Ellis  
Questionnaire of October 28, 1983

Mr. Allen Brown of the Department of Public Works, Bureau of Engineering - Utility Division is researching questions number 1 to 4. Question number 5 information is presented here. The Health Department estimates a 1000 gallon sealed septic tank unit with a manhole cover and/or alarm device or float alert device to cost \$1,300 to \$1,500 dollars. The cost of emptying same approximately \$55 per scavenger load. Note larger units would probably cost more and/or if field problems such as water and/or rock were encountered in installing a sealed unit, the cost would be more for initial installation. If the existing tank is approved for use as a sealed unit estimated cost would be approximately \$350 for conversion.

CB  
CBS:hs  
11/8/83



**WATER AND SEWER BILL**  
**HOWARD COUNTY OFFICE OF FINANCE**  
P.O. BOX 192, ELLICOTT CITY, MARYLAND 21043



**MAKE CHECKS PAYABLE TO: DIRECTOR OF FINANCE, HOWARD COUNTY**  
**RETURN THIS COPY WITH YOUR REMITTANCE**  
If receipt is desired, return both copies of bill with self-addressed, stamped envelope.

Bills may be paid at Office of Finance from 8:30 AM to 4:30 PM — closed Sat

DUPLICATE BILLING

TELEPHONE  
NO.

BILLING  
992-2058  
SERVICE  
992-2366

PAY NET AMOUNT BY: September 30, 1983

Charles Ellis  
6608 Allen Lane  
Columbia, Maryland 21045

PAY GROSS AMOUNT AFTER: September 30, 1983

SEE REVERSE SIDE FOR ADDITIONAL INFORMATION

ACCOUNT NO.

37-04-1760

NET AMOUNT

\$8.70

GROSS AMOUNT

\$9.57

**WATER AND SEWER BILL**  
**HOWARD COUNTY OFFICE OF FINANCE**

P.O. BOX 192, ELLICOTT CITY, MARYLAND 21043

PLEASE RETAIN THIS PORTION FOR YOUR RECORDS

AVERAGE GALLONS  
DAILY WATER USE:

THIS QUARTER \_\_\_\_\_

WATER CHARGES \$8.70	SEWER CHARGES \$.00	OTHER \$.00
ACCOUNT NO. 37-04-1760	PROPERTY ADDRESS 6608 Allen Lane	
NET AMOUNT \$8.70	DATE AND METER READING 7/19/83                      10/19/83	
CODE	FROM 198	TO 211
GROSS AMOUNT \$9.57	PREVIOUS WATER CONSUMPTION (IN GALLONS)	PRESENT 9,725

DETACH HERE

CONSERVATION GOAL  
 \_\_\_\_\_ 65 \_\_\_\_\_ GALLONS PER DAY  
 PER HOUSEHOLD MEMBER

FOR WATER CONSERVATION  
INFORMATION CALL:

BUREAU OF ENVIRONMENTAL  
SERVICES: 992-2386

Charles Ellis } Also total? Need  
if possible } Water Bill  
from }  
2013 quarter } Copy

6608 Allen Lane

Columbia, Md

2<sup>nd</sup> Floor

G. Howard Bldg.  
Finance

v with Jo Ann  
Charlton  
4:00<sup>o</sup> 11/1/83

- **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space  
on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).
- Show to whom and date delivered ..... —¢
- Show to whom, date, and address of delivery.. —¢
2.  **RESTRICTED DELIVERY** —¢  
(The restricted delivery fee is charged in addition to  
the return receipt fee.)

TOTAL \$ \_\_\_\_\_

3. **ARTICLE ADDRESSED TO:**

Mr. and Mrs. Charles E. Ellis  
6608 Allen Lane  
Columbia, Maryland 21045

4. **TYPE OF SERVICE:**

- REGISTERED     INSURED
- CERTIFIED     COD
- EXPRESS MAIL

## ARTICLE NUMBER

4557801

**(Always obtain signature of addressee or agent)**

I have received the article described above.

SIGNATURE     Addressee     Authorized agent

6.

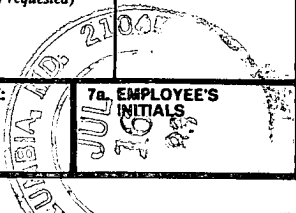
DATE OF DELIVERY

7/15/83

POSTMARK

6. **ADDRESSEE'S ADDRESS** (Only if requested)7. **UNABLE TO DELIVER BECAUSE:**7a. **EMPLOYEE'S  
INITIALS**

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL



**UNITED STATES POSTAL SERVICE**  
**OFFICIAL BUSINESS**

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.  
Complete items 1, 2, 3, and 4 on the reverse.  
Attach to front of article if space permits,  
otherwise affix to back of article.  
Endorse article "Return Receipt Requested"  
adjacent to number.

**PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300**



**RETURN  
TO**



*Howard County Health Department*

(Name of Sender)

*Bureau of Environmental Health  
P. O. Box 476*

(Street or P.O. Box)

*Ellicott City, Maryland 21043*

(City, State, and ZIP Code)

JUL 22 9 27 AM '87



Postnet Flag Area  
JUL 14

11/1/83

Totals previously

per Mr. Gulton { 1/83 to 4/83 16 Units = 11,969 gallons  
 4/83 to 7/83 15 Units = 11,221 gallons  
 7/83 to 10/19/83 13 Units = 9,725 gallons

211  
 - 198  
13

(90 Days = 3 months)  
 3<sup>rd</sup> Quarter 1983. 90 | 9,725 gallons/day for 2  
 90  
 725  
 720

1<sup>st</sup> Quarter 1983. 90 | 11,969 gallons/day for 2  
 90  
 296  
 270  
 269  
 270

11/1/83

Ellis Property - Questions From 10/28/83 memo  
being handled in the following manner.

Questions (1) through (4) Mr. Allen Brown  
@ 992-2070 11/1/83 to send us information  
of D.P.W. - authority +/or plans

Question (5) being researched by C.B.D.

# Howard County, Maryland

## Office of Law


3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

Timothy F. Welsh  
County Solicitor

October 28, 1983

TO: Dr. Joyce Boyd  
Health Department

FROM: F. Todd Taylor, Jr.,   
Assistant County Solicitor

RE: Howard County Health Department vs.  
Charles E. Ellis

RECEIVED  
HOWARD COUNTY  
HEALTH DEPARTMENT  
ELLCOTT CITY, MD  
OCT 31 5 35 PM '83

At the hearing on the appeal of the Health Department order in this matter, the Health Board requested the record be supplemented with the following information.

1. What is the present schedule for the availability of the public sewer system to Annetta Gardens?
2. Can the schedule for the delivery of that service be accelerated?
3. Do any alternatives to the public sewer system exist?
4. What happened to the proposal of Dr. Boyd for a private community sewer system mentioned in her letter to J. Hugh Nichols on August 3, 1979?
5. How much would it cost to convert the Ellis system to a sealed septic tank and what would the monthly maintenance costs be?

I would appreciate your assistance in compiling the information necessary to frame a response to the Health Board's questions. Thank you for your anticipated cooperation.

FTT:clb

# Howard County, Maryland

## Office of Law

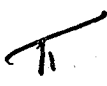
3430 Court House Drive  
Ellicott City, Maryland 21043

(301) 992-2100

Timothy E. Walsh  
County Solicitor

October 28, 1983

TO: Dr. Joyce Boyd  
Health Department

FROM: F. Todd Taylor, Jr.,   
Assistant County Solicitor

RE: Howard County Health Department vs.  
Charles E. Ellis

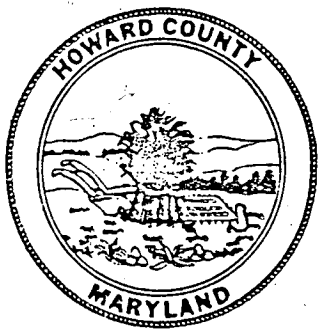
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I would appreciate your assistance in compiling the information necessary to frame a response to the Health Board's questions. Thank you for your anticipated cooperation.

FTT:clb

cc: Fred Frommelt



# County Council of Howard County

GEORGE HOWARD BUILDING  
3430 COURT HOUSE DRIVE  
ELLCOTT CITY, MARYLAND 21043-4392  
992-2001

## COUNCILMEMBERS

Ruth Keeton  
Chairperson  
Elizabeth Bobo  
Vice Chairperson  
James H. Clark  
C. Vernon Gray  
Lloyd Knowles

Eugene Weiss  
Executive Secretary  
Jeanne E. Stephens  
Administrative Assistant  
Jeanne Johnson  
County Auditor

MONDAY, OCTOBER 24, 1983  
BOARD OF HEALTH  
Banneker Hearing Room  
7:00 P.M.

## PUBLIC MEETING & HEARING

1. The Board will consider any health-related issues which may be presented by members of the public.
2. The Board will then hear the appeal by Mr. Charles Ellis from the Health Department order to install a sealed tank on the septic system located at 6608 Allen Lane, Columbia, Maryland 21045.

Monday  
7:00

{ Ellis  
of Allen Co } 10/24/83 3:00 - 3:15

- (1) Area limed
  - (2) Slight odor ~~of~~ <sup>of</sup> sewage
  - (3) Clear rain water  
in swale from Ellis  
to parcel after limed area
  - (4) Greasy film near outbreak @  
Allen Lane.
  - (5) No apparent work of septic  
tank.
  - (6) Puddle <sup>C.K.S.</sup> near near laundry waste  
water.
-

A T T E N T I O N   H O M E   O W N E R S

THERE WILL BE A MEETING WITH HOWARD COUNTY HEALTH DEPARTMENT AND HOWARD COUNTY BOARD OF PUBLIC WORKS REPRESENTATIVES ON JUNE 29, 1983 AT 7:00 P.M. AT THE HOME OF MR. AND MRS. RALPH HOLBROOK, 6612 ALLEN LANE, ANNETTA GARDENS, FOR THE EXPRESS PURPOSE TO DISCUSS THE PROBLEM OF SEWAGE IN OUR AREA.

NUMEROUS ATTEMPTS HAVE BEEN MADE TO PIN THE COUNTY DOWN TO A TARGET DATE OF OUR AREA RECEIVING SEWAGE BUT TO DATE THAT HAS NOT BEEN ACCOMPLISHED.

WE ARE HOPING THAT ALL CONCERNED CITIZENS AND HOME OWNERS WILL BE PRESENT FOR THIS MEETING. SEWAGE IS A PROBLEM WE ALL FACE IF OUR PRESENT SYSTEMS BREAK DOWN. WE MUST EITHER REPAIR THEM OR LET THE SEWAGE RUN ON THE GROUND. PLEASE COME AND AIR YOUR VIEWS TO THE COUNTY REPRESENTATIVES.

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8308B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 892-2330

August 10, 1983

TO: Mr. Timothy E. Welsh,  
County Solicitor

FROM: Charles B. Streaker, Sanitarian  
Community Hygiene Program

SUBJECT: Repair of septic system by order to a sealed unit at  
6608 Allen Lane, Columbia, MD 21045

The subject property was ordered by the Howard County Health Department to repair on July 13, 1983. As of this date the property owner has failed to comply with the Health Department's order.

The attached correspondence, and/or visits and numerous phone calls to the owner represents this Department's efforts to assist with implementing Section 12 of the Howard County Code.

The Health Department's efforts at this date have not been answered in writing and/or by corrections at the site.

I request that your office review the matter and take the appropriate actions in order that a summons may be secured for the owner to appear at District Court.

*C.B.S.*  
CBS:ag

*Sent original to Mr. Welsh; discussed with Dr. Boyd - before sending.*

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8908B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

July 13, 1983

Mr. and Mrs. Charles E. Ellis  
6608 Allen Lane  
Columbia, Maryland 21045

Dear Mr. and Mrs. Ellis:

On July 7, 1983, while investigating a complaint concerning a condition allegedly hazardous to health, I inspected your property known as Lot 3, Parcel 475, Tax Map 37, located at 6608 Allen Lane, Columbia, Maryland.

During that inspection I observed an open hole which was noted as having insufficient area for repair of the existing septic system due to clay and/or saturated shallow sand or gravel layers.

At that time I met with Mr. Charles Ellis and discussed the problem. He was informed that the Health Department had observed the problem.

As the present overflowing septic system creates a condition which is, or may be hazardous to the public health, you are hereby ordered to do one of the following since pumping of the existing system has not stopped the sewage effluent from breaking out onto the surface: (1) Seal the existing concrete tank and pump or (2) Install a new concrete holding tank and pump same until public sewer becomes available within ten (10) days of receipt of this letter.

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within ten (10) days of receipt of this letter. If you wish to discuss the evidence, the regulations, or your individual circumstances, you are encouraged to request a meeting with us by calling 992-2330 and scheduling an appointment.

Mr. and Mrs. Charles E. Ellis

- 2 -

July 13, 1983

If you fail to respond to or comply with this order, we will, through due process, secure a summons for you to appear at District Court for trial. Failure to appear for trial will result in a warrant being issued for your arrest.

The policy of the Health Department is to cooperate with the citizens of the County in seeking solutions to public health problems. If voluntary compliance is not successful, we are required to take necessary action to protect the health and safety of our citizens. We hope you will agree that the corrective actions are reasonable, prudent, and in the best interests of all concerned.

In closing, may I restate our willingness to discuss the problem. Please feel free to contact us.

Very truly yours,

Charles B. Streaker, Sanitarian  
Community Hygiene Program

C.B.S.

CBS:hs

# 3178

PS Form 3811, Dec. 1980

● **SENDER:** Complete items 1, 2, 3, and 4.  
Add your address in the "RETURN TO" space  
on reverse.

**(CONSULT POSTMASTER FOR FEES)**

1. The following service is requested (check one).
- Show to whom and date delivered ..... — c
  - Show to whom, date, and address of delivery.. — c
  - 2.  **RESTRICTED DELIVERY** — c  
*(The restricted delivery fee is charged in addition to the return receipt fee.)*

**TOTAL** \$ \_\_\_\_\_

**3. ARTICLE ADDRESSED TO:**

*Mr. and Mrs. Charles E. Ellis*  
*6608 Allen Lane*  
*Columbia, Maryland 21045*

**4. TYPE OF SERVICE:**

- REGISTERED     INSURED
- CERTIFIED     COD
- EXPRESS MAIL

**ARTICLE NUMBER**

4557784

**(Always obtain signature of addressee or agent)**

I have received the article described above.

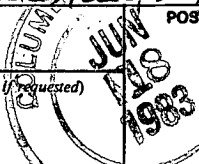
**SIGNATURE**     Addressee     Authorized agent

*[Handwritten signature]*

**5. DATE OF DELIVERY**

*6/10/83*

**POSTMARK**



**6. ADDRESSEE'S ADDRESS** *(Only if requested)*

**7. UNABLE TO DELIVER BECAUSE:**

**7a. EMPLOYEE'S INITIALS**

*[Handwritten initials]*

RETURN RECEIPT, REGISTERED, INSURED AND CERTIFIED MAIL

**UNITED STATES POSTAL SERVICE**  
OFFICIAL BUSINESS

**SENDER INSTRUCTIONS**

Print your name, address, and ZIP Code in the space below.

- Complete items 1, 2, 3, and 4 on the reverse.
- Attach to front of article if space permits, otherwise affix to back of article.
- Endorse article "Return Receipt Requested" adjacent to number.

**PENALTY FOR PRIVATE  
USE TO AVOID PAYMENT  
OF POSTAGE, \$300**



**RETURN  
TO**



*Howard County Health Department*

(Name of Sender)

*Bureau of Environmental Health*

*P. O. Box 476*

(Street or P.O. Box)

*Ellicott City, Maryland 21043*

(City, State, and ZIP Code)

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8306B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

June 16, 1983

Mr. and Mrs. Charles E. Ellis  
6608 Allen Lane  
Columbia, Maryland 21045

Dear Mr. and Mrs. Ellis:

On June 6, 1983, while investigating a complaint concerning a condition allegedly hazardous to health, I inspected your property known as Lot 3, Parcel 475, Tax Map 37, located at 6608 Allen Lane, Columbia, Maryland.

During that inspection I observed an apparent failing septic system possibly in the front yard area near the driveway and public road.

As the apparent failing septic system creates a condition which is, or may be hazardous to the public health, you are hereby ordered to repair the system within ten (10) days of receipt of this letter. To abate this unhealthy nuisance you must:

- (1) Secure a permit to repair the system. The fee for this permit is \$10.00.
- (2) Have the ground opened up for inspection so Sanitarian can recommend the repair system.
- (3) Have the system repaired and inspected and approved by the Health Department.

If you believe that the condition described above is not and could not be a hazard to health, or that the Health Department is not acting in compliance with pertinent laws and regulations, you may request a formal hearing before the Board of Health within ten (10) days of receipt of this letter. If you wish to discuss the evidence, the regulations, or your individual circumstances, you are encouraged to request a meeting with us by calling 992-2330 and scheduling an appointment.

Mr. and Mrs. Charles E. Ellis

June 16, 1983

If you fail to respond to or comply with this order, we will, through due process, secure a summons for you to appear at District Court for trial. Failure to appear for trial will result in a warrant being issued for your arrest.

The investigation of this complaint and the enforcement powers of the Health Department are set forth in Section 12 of the Howard County Code, a copy of which is available for your inspection at this office.

The policy of the Health Department is to cooperate with the citizens of the County in seeking solutions to public health problems. If voluntary compliance is not successful, we are required to take necessary action to protect the health and safety of our citizens. We hope you will agree that the corrective actions are reasonable, prudent, and in the best interests of all concerned.

In closing, may I restate our willingness to discuss the problem. Please feel free to contact us.

Very truly yours,

*Charles B. Streaker*

Charles B. Streaker, Sanitarian  
Community Hygiene Program

CBS:hs

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
COUNTY HEALTH OFFICER



BUREAU OF ENVIRONMENTAL HEALTH  
TIBER PLACE  
8306B FORREST STREET  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2330

June 10, 1983

TO: Dr. Joyce M. Boyd  
County Health Officer

THROUGH: Mr. Fred Frommelt  
Assistant Bureau Director  
Environmental Health Program

FROM: *Charles B. Streaker*  
Charles B. Streaker  
Sanitarian

RE: Septic System - 6608 Allen Lane (Ellis)

Please be advised a similar situation presently exists as apparently existed on or about June 28, 1979 per case correspondence of the Ellis home at 6608 Allen Lane near Columbia. The present instructions are for the Ellis' to: (1) conserve water; (2) lime necessary areas; and (3) pump their septic system.

However, a review of our August 3, 1979 directive may be necessary at this time. Public sewer is still not available according to the Department of Public Works.

CBS:hs

FILE Septic Contamination DATE REPORTED June 6, 1983

PROPERTY OWNER Mr. Charles E Ellis

P. O. ADDRESS 6608 Allen Lane Ph 799-5225

DIRECTIONS TO PROPERTY Columbia  
21045

INFORMANT Anonymous

Lot # 3

P # 495

C # 19

Map # 37

CONDITION FOUND: 6/6/83 Site check - located overflow  
of liquid resembling sewage & heavy odor of same.  
See attached old complaint & new Chronology for 1983  
explaining action for specific dates.  
C.R.D.

ACTION TAKEN: 6/6/83 Bill 33 prepared - on hold - see - old file  
6/7/83 Discussed with Mr. F. Frommelt. 6/7/83/c 799-5225 busy 12:00

FINAL DISPOSITION: \_\_\_\_\_

191  
16 FID MMB

W

FILE Sewage Complaint

DATE REPORTED June 26, 1979

PROPERTY OWNER Charles Ellis

P.O. ADDRESS 6608 Allen Lane, Ellicott City, Md.

TELEPHONE <sup>ELLIS</sup>  
799-5225

DIRECTIONS TO PROPERTY off Lark Brown Rd, off 108

INFORMANT Mr. & Mrs. Larrick, next door neighbors, phone no. 799-5231

Stated that Mr. Ellis' septic system has been overflowing for years into their yard.

Now it is almost impossible to cut grass in swale on their property because of this.

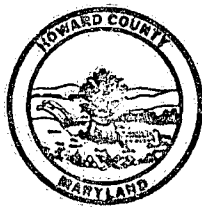
CONDITION FOUND

ACTION TAKEN 6/28/79 Told to pump and spread lime - MB

FINAL DISPOSITION

Abated 6/28/79

*For our file.*



OFFICE OF COUNTY EXECUTIVE

J. HUGH NICHOLS  
COUNTY EXECUTIVE

August 10, 1979

GEORGE HOWARD BUILDING  
3430 COURT HOUSE DRIVE  
ELLICOTT CITY, MARYLAND 21043  
(301) 992-2011

Mrs. George Larrick,  
6604 Allen Lane,  
Ellicott City, Md. 21043

Dear Mrs. Larrick:

I relayed your concern about an overflowing septic system to both the Health Department and the Department of Public Works. Enclosed is the response from the Health Department which has also been provided to the Department of Public Works. You were probably contacted by the Health Department officials when they were in the community in July.

As the memorandum points out, the short-term solution consists of managing the current septic systems. In the meantime, the various departments will be investigating alternative solutions until such time as public sewer can be extended to the area.

Sincerely,

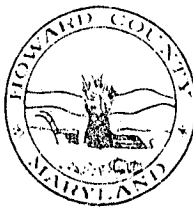
ORIGINAL SIGNED BY  
J. HUGH NICHOLS  
J. Hugh Nichols  
County Executive

JHN:CBS  
cc: Dr. Joyce Boyd  
George Neimeyer

*abated 8/15/79*

# HOWARD COUNTY HEALTH DEPARTMENT

JOYCE M. BOYD, M.D., M.P.H.  
DEPUTY STATE AND  
COUNTY HEALTH OFFICER



P.O. BOX 476  
ELLCOTT CITY, MARYLAND 21043  
TELEPHONE: 992-2333

August 3, 1979

TO: Mr. J. Hugh Nichols  
County Executive

FROM: Joyce M. Boyd, M.D. *JMB*

RE: Failing Septic System - 6608 Allen Lane (Ellis)

In regard to your request for information on the above problem, on June 26, 1979 we received a complaint from Mr. George Larrick about the Ellis' failing septic system. Mr. Broumberg, of this department, inspected the property on June 28, 1979 and verbally ordered Mr. Ellis to manage the overflow by pumping his septic system, applying lime, and by regular mowing to control odor and insects. Mr. Ellis has furnished proof that he is pumping his system on an as needed basis.

A review of our records revealed that Mr. Ellis had applied for a repair permit in January, 1973. Percolation tests at that time showed clay ground with water at four to five feet. The sanitarian noted that the system was nonrepairable; however, two 24 foot drain field trenches were installed. These trenches failed almost immediately.

A survey of Allen Lane, July 12, 1979, revealed that 40-50% of the septic systems are currently in a state of failure, while 10% had failed in the past. We anticipate that this pattern will continue in the future.

Our options at this time are limited. We may order a sealed holding tank to be installed at the Ellis residence or we can continue to work with Mr. Ellis to develop water management technique and odor reducing procedures. These alternatives each have disadvantages. Holding tanks are expensive to install and maintain (\$1,000 to \$2,000 installation, \$45 to \$180 monthly maintenance), while effective management requires supervision and monitoring. Monitoring could only be provided at the expense of other projects. It is our experience that homeowners do not continue to have sealed tanks serviced due to the high cost.

This problem is not unique to Mr. Ellis or to Annetta Gardens. Surveys provided to the Department of Public Works have shown that a significant proportion of those homes not on public sewer in the southeast section of the county have recently had septic overflows or back-ups. It can be

August 3, 1979

predicted with reasonable certainty that most of the remaining septic systems will experience similar problems. The nature of the soil in this part of the county is inconsistent and generally not well suited to septic systems.

Singling out Mr. Ellis for further enforcement would be inequitable. A policy of ordering sealed holding tanks in this area would create undue financial hardship to the residents of this portion of the county and be contraproductive, as connections to the public sewer, which will also be required when it becomes available, will be expensive.

The Annetta Gardens area is identified in the Master Water and Sewerage Plan as a problem area and in the Plan is scheduled for public sewer in 6-10 years. Apparently, however, the actual time frame is much longer than that.

A possible alternate solution would be for the County to install a small community packaged sewage treatment system. These are much less expensive than extension of the public sewer in some areas. However, these systems would require daily service from Public Works and monitoring from the Health Department and Department of Health and Mental Hygiene.

Thus, at this point, all that is available to us is counseling residents in this area on how best to manage their present systems. In view of the long wait for extension of the present public sewer, we would recommend that the Public Works Department consider installing the small community treatment system.

JMB:f

cc: Mr. Allen C. Brown  
Bureau of Engineering  
Mr. George Neimeyer  
Dept. of Public Works

HOWARD COUNTY HEALTH DEPARTMENT

Ellicott City, Maryland 21043

Phone: 992-2333

HD - 75

Date: 7-2-79

TO Mr Wore

FROM JMS

- |  |   |
|--|---|
| <input type="checkbox"/> Please Note & File                            | <input type="checkbox"/> Please Circulate     |
| <input type="checkbox"/> For Your Information                          | <input type="checkbox"/> Please Comment       |
| <input type="checkbox"/> Please Note & Return                          | <input type="checkbox"/> Please See Me        |
| <input checked="" type="checkbox"/> Please Handle                      | <input type="checkbox"/> Please sign & return |
| <input type="checkbox"/> Please answer, Sending me Copy of your letter |   |
| <input type="checkbox"/> Please Prepare reply for my Signature         |   |

REMARKS:

Let me know  
result # will work  
Bill 33 perc. test.



JUL 5 1979  
OFF. MAOS @

Office of County Executive

J. HUGH NICHOLS  
County Executive

George Howard Building  
3430 Court House Drive  
Ellicott City, Maryland 21043  
992-2011

June 28, 1979

MEMO TO: Dr. Joyce Boyd

SUBJECT: Failing Septic System at 6608 Allen Lane - Ellis

I had a telephone complaint on June 27 from Mrs. George Larrick (799-5231) at 6604 Allen Lane (Annetta Gardens) concerning an overflowing septic system from the property next door, that is running across the front of her lot. When I called back she gave me the house number (6608) and the name (Ellis).

Could you please follow up on the complaint?

*J. Hugh Nichols*  
JHN

JHN/m

cc: George F. Neimeyer

FILE

April 30, 1979

Mr. Charles Ellis  
6608 Allen Lane  
Ellicott City, Md. 21043

Dear Mr. Ellis:

The Bureau of Environmental Health has received your receipt from Waterloo Sanitation Service and appreciates your compliance with our order of March 27, 1979.

We trust you will continue to service your septic system routinely on an as needed basis.

Very truly yours,

Michael M. Broumberg, Sanitarian  
Community Hygiene Program

MMB:jr

D, M, on 11-1-72

FILE

FILE Sewage DATE REPORTED \_\_\_\_\_

PROPERTY OWNER Charles Ellis

P.O. ADDRESS 660 8 Allen Lane TELEPHONE 465-3936

DIRECTIONS TO PROPERTY "Onsetta Gardens" - A.C.

INFORMANT \_\_\_\_\_

Delvin Brockman  
9 Allen Lane  
465-3219

Low sewage for 7 years -  
They now take a broom  
+ sweep the sewage into  
the street.

CONDITION FOUND Public sewer not available

11-3-72 - Sewage overflowing - bill 37

- 1. Secure repair permit
- 2. have ground opened for inspection
- 3. have system repaired - inspected
- 4. " " inspected & approved by H.P.

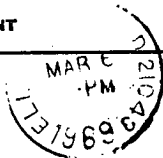
ACTION TAKEN 2-1-73 - ground had been declared now repairable  
See repair permit  
Two trenches have been installed to confine sewage underground  
on own property. Trench that had been overflowing has  
been cut off & deactivated - S. DelVM

FINAL DISPOSITION 2-1-73 file complete  
DelVM

P14838

POST OFFICE DEPARTMENT  
OFFICIAL BUSINESS

PENALTY FOR PRIVATE USE TO AVOID  
PAYMENT OF POSTAGE, \$300



POSTMARK OF  
DELIVERING OFFICE

INSTRUCTIONS: Show name and address below and complete instructions on other side, where applicable. Moisten gummed ends, attach and hold firmly to back of article. Print on front of article RETURN RECEIPT REQUESTED.

RETURN  
TO

NAME OF SENDER

STREET AND NO. OR P.O. BOX

POST OFFICE, STATE, AND ZIP CODE

*Howard Co. Health Dept. - Annapolis*  
*476*  
*Beltsville City, Maryland*

POD Form 3811 Apr. 1967 16-71548-10

# INSTRUCTIONS TO DELIVERING EMPLOYEE

Show to whom, date, and  
address where delivered

Deliver ONLY  
to addressee

*(Additional charges required for these services)*

## RECEIPT

*Received the numbered article described below.*

REGISTERED NO.

SIGNATURE OR NAME OF ADDRESSEE *(Must always be filled in)*

CERTIFIED NO.

1

*Mr. & Mrs. Charles Ellis*

*301748*

2

SIGNATURE OF ADDRESSEE'S AGENT, IF ANY

INSURED NO.

DATE DELIVERED

SHOW WHERE DELIVERED *(only if requested)*

*3/06/69*

3



THEO. R. SHROP, M. D. M. P. H.  
HEALTH OFFICER

HOWARD COUNTY  
HEALTH  
DEPARTMENT

*Rebeck*  
*April 7<sup>th</sup>*  
5-7-69

199 COURT HOUSE DRIVE  
ELLICOTT CITY, MD. 21043  
HOWARD-5-5000

February 28, 1969

Mr. & Mrs. Charles Ellis

6608 Allen Lane  
"Annetta Gardens"  
Ellicott City, Maryland

Dear Mr. & Mrs. Ellis:

It has been brought to our attention that there is a sewage nuisance at the property owned and ~~or~~ occupied by you at 6608 Allen Lane, Annetta Gardens, Ellicott City, Maryland.

An investigation by this department on February 26, 1969 confirmed the fact that this is true.

You are hereby notified to correct the above condition within 30 days from receipt of this letter or we will be forced to take legal action against you.

Should you have any questions concerning the above, please call me at HOward 5-5000, Ext. 57 or 58, preferably between 8:30 and 9:00 A.M.

Very truly yours,

Donald W. McNaghan,  
Sanitarian

jr 4/7/69 Mrs Ellis called previously and asked for extension of time. Extension granted till 5/7/69 nothing has been done as of this date. DWN

November 8, 1972

Mr. Charles Ellis  
660~~8~~ Allen Lane  
"Annetta Gardens"  
Ellicott City, Maryland 21043

Dear Mr. Ellis:

Section 12.204 of the Howard County Code states: "The Board of Health, the County Health Officer, Sanitarian or his representative, shall take cognizance of all conditions dangerous to health and may on their own initiative institute an investigation."

On Friday, November 3, 1972, the investigation revealed an overflowing sewage disposal system on the property owned by you at 660 Allen Lane, Ellicott City, Maryland.

In my capacity as a Sanitarian, with the Howard County Health Department, I have determined that this overflowing sewage is of such a condition that it creates a public nuisance which endangers the public health.

To abate this unhealthy nuisance you must:

1. Secure a permit to repair the system.
2. Have ground opened up for inspection so Sanitarian can recommend the repair system.
3. Have the system repaired and inspected and approved by the Health Department.

You must comply with the provisions of this notice within thirty (30) days from the date of this notice, or apply to the Executive Secretary of the Board of Health for a hearing within ten (10) days from the date of this notice. If you do not apply for a hearing within the prescribed time and, if, you do not comply with this directive a summons will be issued directing you to appear before the District Court of Howard County for a trial.

I am enclosing an exact copy of the law and penalties that may apply in your case.

*12-11-72  
Mrs Ellis called  
said a Mr. Coons  
me this week. DWM*

Very truly yours,

Donald W. Monaghan,  
Sanitarian

DWM:hs

FILE

*Sewage*

DATE REPORTED

*2/25/69*

PROPERTY OWNER

*Mr. & Mrs. Charles Ellis*

P. O. ADDRESS

*6608 Allen Lane - L.C.*

TELEPHONE

DIRECTIONS TO PROPERTY

*"Annetts Gardens"*

*3rd house on left*

INFORMANT

*Sewage running down road & milldike surrounded by sewage. Horrible odor*

*Public sewer not available.*

CONDITION FOUND

*2/26/69 - Sewage overflowing - to send notice to repair. LHM.*

*30 day - repair*

ACTION TAKEN

FINAL DISPOSITION

# PERMIT

*app. illu*

#3178

P 17838

A \_\_\_\_\_

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

## INDEXED

ELLICOTT CITY

DISTRICT 2

DATE 1/2/73

Evans Construction Co. IS PERMITTED TO INSTALL ALTER

ADDRESS 9460 Guilford Road, Jessup, Maryland PHONE 725-5768

SEWAGE DISPOSAL SYSTEM LOCATED AT \_\_\_\_\_

ON Innetta Gardens ROAD Allen Lane LOT \_\_\_\_\_

PROPERTY OWNER Mrs. Ches. Ellis

### SPECIFICATIONS

DRAIN FIELD \_\_\_\_\_ DEPTH \_\_\_\_\_ FEET, BOTTOM AREA \_\_\_\_\_ SQ. FT.

SEEPAGE PITS \_\_\_\_\_ ABSORBENT SIDE-WALL AREA \_\_\_\_\_ SQ. FT.

SEPTIC TANK CAPACITY \_\_\_\_\_ GALLONS

FOR GARBAGE GRINDER, INCREASE DISPOSAL AREA 22% & TANK CAPACITY 50%.

OTHER REPAIR - Call for inspection when ground is opened by road. Sanitation

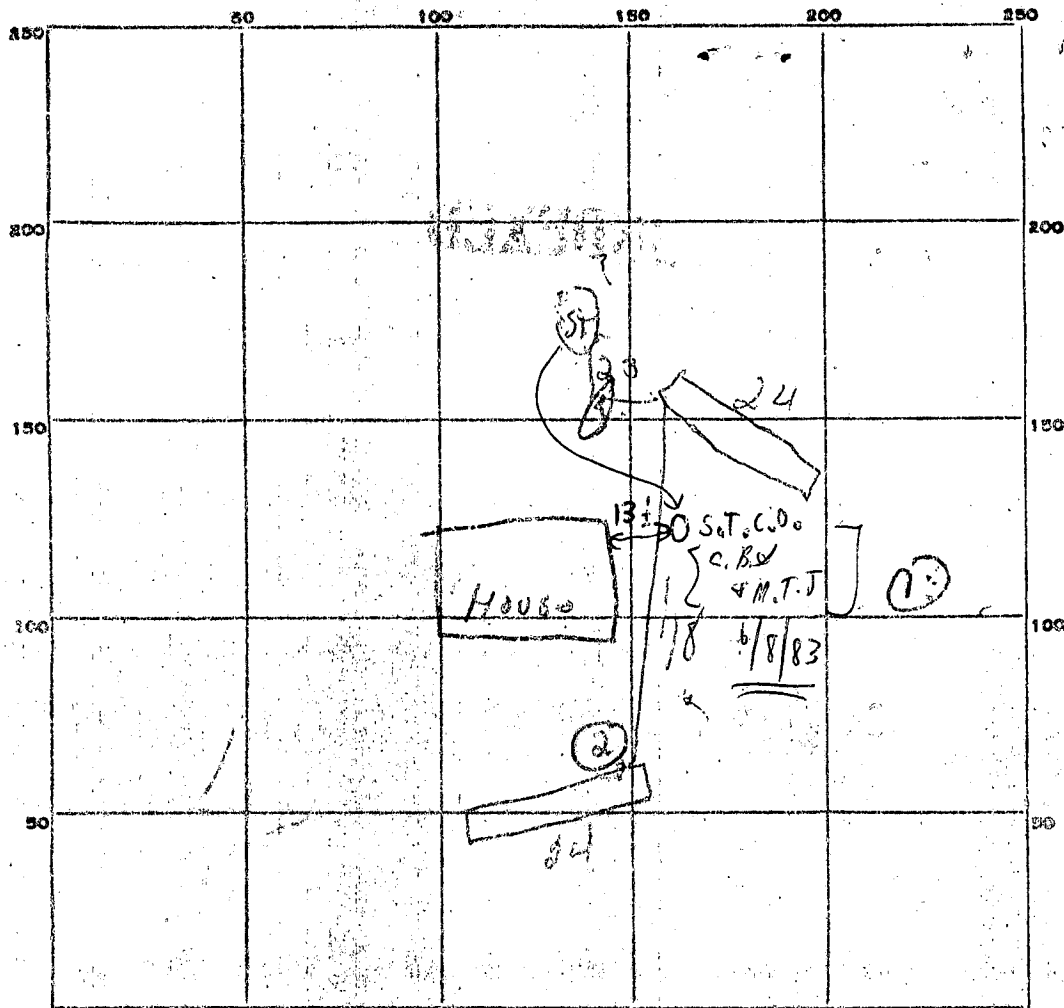
will recommend repair system.

APPROVED BY Palmer P. King DATE 1/2/73

SEPTIC TANK AND DISTRIBUTION BOX WITH WATER BEFORE CALLING FOR AN INSPECTION. COVER NOT TO BE REMOVED WITHOUT PERMIT. DEFECTED AND APPROVED.

HOWARD COUNTY COMMISSIONERS NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE PROPER OPERATION OF ANY SYSTEM.

17838



INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE.

*Allen Lane*

PERMIT CARD OK

SEPTIC TANK, LEVEL \_\_\_\_\_ CLEANOUTS \_\_\_\_\_

DISTRIBUTION BOX, LEVEL \_\_\_\_\_

TILE FIELD, DEPTH \_\_\_\_\_ FT. TRENCH WIDTH \_\_\_\_\_ FT.

GRAVEL DEPTH \_\_\_\_\_ IN. TOTAL LENGTH \_\_\_\_\_ FT.

NUMBER OF TRENCHES \_\_\_\_\_ TOTAL BOTTOM AREA \_\_\_\_\_

SEEPAGE PITS, INSIDE DIAMETER \_\_\_\_\_ FT. DEPTH BELOW INLET \_\_\_\_\_ FT.

ABSORBENT AREA \_\_\_\_\_ SQ. FT.

MARKS 1-2 73-  
 pit 1- clay - very little gravel - water at 5 ft  
 pit 2 - clay  
 water at 4 ft  
 pit 3 - hot clay all full & clay  
 ground - now reasonable. On 24  
 the trenches connected all line by 4  
 at some overflowing cut off

6/28/60 - 9:30 - recheck  
check out 7/11/60

*app fee* #3198  
A 02243

# PERMIT

SEWAGE DISPOSAL SYSTEM

MARYLAND STATE DEPARTMENT OF HEALTH

HOWARD COUNTY

ELLICOTT CITY

DISTRICT 6

DATE 5/23/60

**INDEXED**

Walter Shank IS PERMITTED TO INSTALL  ALTER

ADDRESS Jessup PHONE \_\_\_\_\_

A SEWAGE DISPOSAL SYSTEM LOCATED AT \_\_\_\_\_

Lark Brown Road 1.2 mi. W. Waterloo Rd.

SUBDIVISION Anneta Gardens ROAD Lark Brown Rd LOT 3

PROPERTY OWNER Walter A. Shank, Inc.

ADDRESS Jessup

**SPECIFICATIONS**

DRAIN FIELD  DEPTH \_\_\_\_\_ FEET, BOTTOM AREA 300 SQ. FT.

SEEPAGE PITS \_\_\_\_\_ ABSORBENT SIDE-WALL AREA \_\_\_\_\_ SQ. FT.

SEPTIC TANK CAPACITY 750 GALLONS

FOR GARBAGE GRINDER, INCREASE DISPOSAL AREA 22% & TANK CAPACITY 50%.

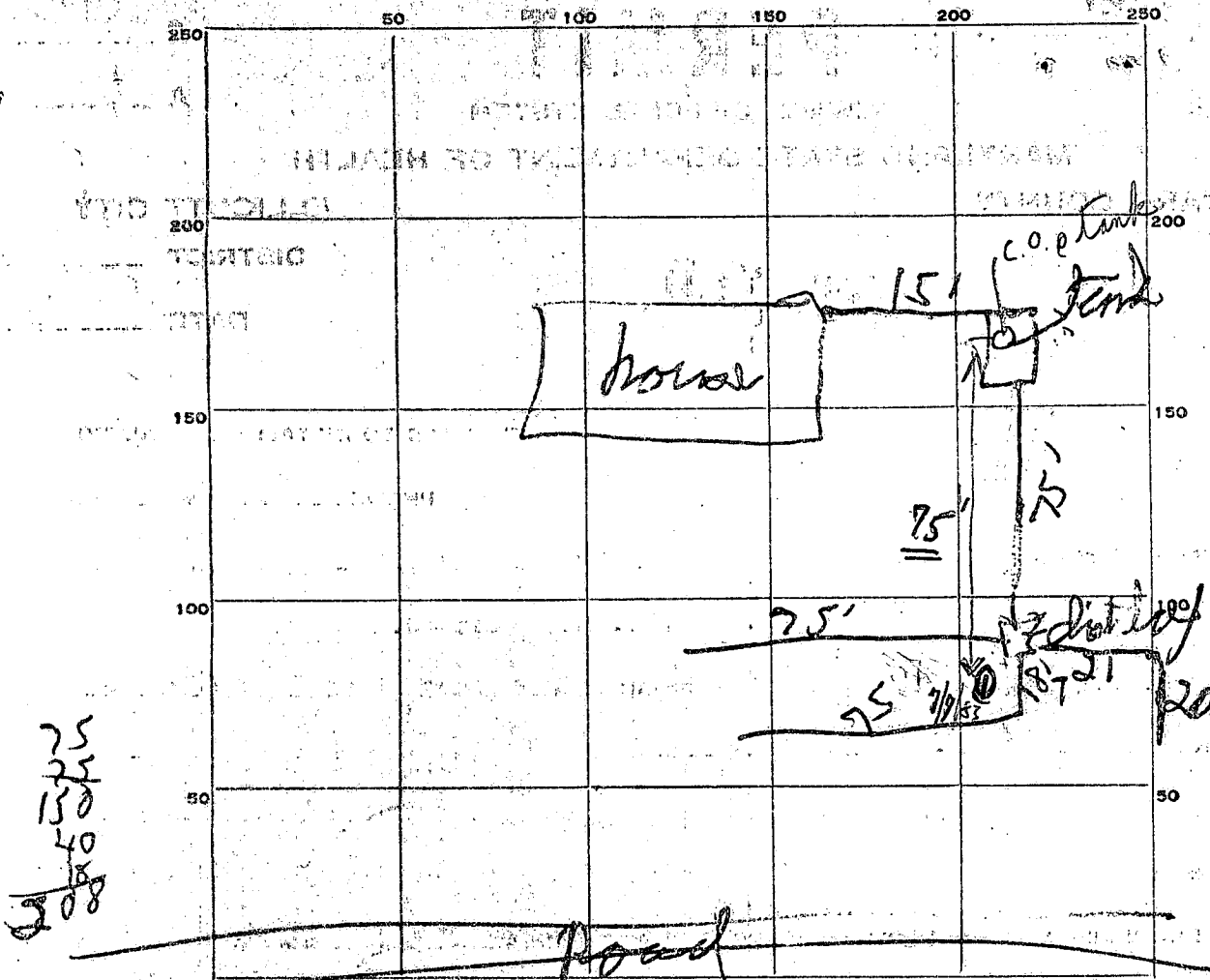
OTHER Locate in rear of house. Trenches to start about 15 ft. from fence. (Sealing property) Locate in the front of the house and change the size of the tile field to 474 sq ft of bottom area 6/28/60 B.H.

PLANS APPROVED BY James E. Hennigan DATE 3/29/60

FILL SEPTIC TANK AND DISTRIBUTION BOX WITH WATER BEFORE CALLING FOR AN INSPECTION. COVER NO WORK UNTIL INSPECTED AND APPROVED.

NEITHER THE HOWARD COUNTY COMMISSIONERS NOR THE HEALTH DEPARTMENT IS RESPONSIBLE FOR THE SUCCESSFUL OPERATION OF ANY SYSTEM.

A02243



75  
130  
40  
208

INDICATE NORTH - NAME ADJOINING ROADWAY AS BASE LINE.

PERMIT CARD ✓

SEPTIC TANK, LEVEL ✓

CLEANOUTS ✓

DISTRIBUTION BOX, LEVEL ✓

TILE FIELD, DEPTH 4 FT. TRENCH WIDTH 3 FT.

GRAVEL DEPTH \_\_\_\_\_ IN. TOTAL LENGTH \_\_\_\_\_ FT.

NUMBER OF TRENCHES 3 TOTAL BOTTOM AREA 100

SEEPAGE PITS, INSIDE DIAMETER \_\_\_\_\_ FT. DEPTH BELOW INLET \_\_\_\_\_ FT.

ABSORBENT AREA 200 SQ. FT.

REMARKS

Met Mr. Ellis on 7/7  
3:30 - 4:50 p.m.  
@ site

7/7/83 of area 0-1/2' Topsoil  
① 1' + 2' clay  
2'-3' 2" Wet sand  
+ 1/2 gravel  
Then white clay

A.M. 7/8/83 Discussed with Mr. F. Frommelt } inadequate for shallow system +/or only alternative asked } deep due to water said per F.F.

Note there may be a statement on Amette Visardina from Health Officer

DATE SYSTEM APPE

7/11/80

INSPECTOR

P.W.

*File U.S.  
Then file 86053  
X file Misc*

November 18, 1983

MEMORANDUM

TO: Dr. Joyce M. Boyd  
County Health Officer

FROM: George F. Neimeyer  
Director

SUBJECT: Public Sewer Service for Annetts Gardens

This memorandum is in response to your request for information regarding the above subject and the condemnation of Mr. Ellis' septic system. Your questions and our answers are listed below:

1. What is the present schedule for public sewer service for Annetts Gardens?

Answer: Public sewer service will be provided upon the completion of construction of sanitary sewers under Capital Project S-6053 Dorsey Run Interceptor and Collectors as well as completion of Capital Project S-6071 Dorsey Run Pump Station, Force Main, Interceptor and Collectors. The County is trying to get Federal and State funding for the two capital projects. Sewage treatment in the Dorsey Run drainage area is limited to 108,000 gallons at the State House of Correction facility. At the present time, this capacity is either being utilized or has been allocated. The County has been planning to divert all the sewage in the Dorsey Run drainage area to the Little Patuxent Wastewater Treatment Plant at Savage. Capital Project S-6071 has been under way for a number of years. Construction of the pump station was not previously approved for Federal and State grant funding assistance because of the desire to have the facilities plan completed. The County went ahead with the program funding, grant application, grant approval, and started the facilities plan, but the County could not complete the facilities plan because the State of Maryland did not have water quality standards for the Little Patuxent River. By the time the State of Maryland established those standards, it was necessary for the County to revise the facilities plan. When the County submitted an application to the State Department of Health and Mental Hygiene to amend the grant for the facilities plan, it took the State 14 months to process and approve the grant amendment. We are now revising the facilities plan, and the scheduled submittal date to the State is January, 1985 which allows time for public participation required by the law. We expect that the facilities plan will be approved, after State and Federal review of the facilities plan plus additional information required by that review, in January, 1986. The grant application for Capital Projects S-6053 and S-6071 will be processed thereafter.

# Sewer delay has residents angry

Carrie McCully

Last Wednesday night, the residents of Allen Lane pulled up folding chairs beneath the spreading branches of an oak tree in Ralph and Fay Holbrook's backyard, and listened to an engineer from the county's public works department tell them why they still don't have public sewer in Annetta Gardens.

When the 13 residents were comfortably seated in a wide semicircle on the lawn, Allen Brown took out his charts and leaned them up against the picnic table, where Mrs. Holbrook had laid out iced tea and home-baked cookies.

"In the beginning," said Brown, clearing his throat, making a little joke. No one laughed. Twenty minutes later, after Brown sat down in his chair, there was a long silence. The residents of Allen Lane stared at Brown, hard.

"I don't understand you, but I believe you," said Mr. Holbrook finally, crossing his legs. There was another silence. Mrs. Holbrook silently offered cookies and tea.

The residents of Allen Lane, and most of the residents on the adjoining Lark Brown Road, want public sewer. According to newspaper accounts, they were told several years ago that they would be free of their troublesome septic tanks by 1983, when they could hook up to the county's sewer lines.

Last Wednesday night, county sewer spokesman Allen Brown told them they weren't going to get sewer this year or next. If everything went right, he said they might get it by 1986.

Meanwhile, many of the Annetta Gardens residents are plagued with septic systems that have cost them money to replace, and could cost them money again before the county's sewer

lines have inched into their area.

Two factors have slowed expansion of the county's sewer system. Rewritten federal water quality standards forced the county to abandon much of the planning already done on facilities for the area. Then the federal grants needed to finish the plan and begin the work became harder to come by.

Howard County is still waiting for the grant money needed to finish the plans, Brown said. Right now, the Dorsey pump station that will eventually handle the sewage from Annetta Gardens isn't even in the "fundable range" because the county hasn't been able to get the money to finish the plans.

Brown explained all this to the steaming residents who encircled a stockade around him. He talked to them about the difficulty of obtaining property right-of-ways for running the pipes. He explained how the state health department has "a whole bunch of rules. You could tear your hair out."

The Allen Lane residents sat there looking like they'd like to tear Brown's hair out. They didn't understand, as Charles Ellis said angrily, why they're paying sewer taxes if they don't have public sewer.

"You're paying the ad valorem taxes to get the line up here, sir," said Brown. The residents would also have to pay additional aid-of-construction fees once the sewer lines get within range of their homes. Then they must pay to hook up to the line once it's in front of their homes.

Until the county gets the grants to design the plan and build the system, said Brown, the Allen Lane residents are just going to have to be patient.

But the residents say they're losing patience. Many, like the Holbrooks, have had to completely replace their septic tanks. And others, like Charles Ellis, have been battling troublesome



The grass grows greener along the road where Charles Ellis' sewage runs from a faulty septic system, which has been cited by the county health department. Ellis and other residents of Annetta Gardens had been promised sewers this year by county officials, but the lines have been delayed another three years.

Staff photo by Charles Weiss

tanks for the past 20 years.

Ellis said he has dug ditches, poured gravel, filled with concrete, and the sewage keeps percolating out of the ground and down his driveway. Last week, he was cited by the county health department with having a health violation on his property. But as far as he's concerned, he wouldn't have a health hazard if the county had kept its promise, and built the sewer line.

But Fred Frommelt, an inspector with the environmental office of the health department, said, "You're creating the sewage. In the absence of a public system, it's your responsibility. The health department can't come around with a truck and pick it up."

Frommelt said there are four or five areas on Allen Lane that are real trouble spots, where the sewage is pooling by the road or onto people's property. He

said his office is willing to advise residents on some repair methods, but apart from that, there isn't much he can do.

"A metal septic tank doesn't last forever," he said, adding that the county now recommends that homeowners invest in concrete tanks instead.

Frommelt admitted that until the public sewer lines come through, the Allen Lane residents are facing a problem. This spring's heavy rains have contributed to an unusually high water table, and the clay soil that never percolated well to begin with is performing even less effectively now. Usually, he said, the septic tanks are designed to trap the bacteria-ridden sewer wastes and gradually discharge the liquid into an absorbent soil. With a saturated soil, the residents are bound to have problems.

7/14/83 J

**125 Bids & Proposals**

solicitation is limited to SHEL-  
TERED MARKET BIDDERS in  
acc. w/DC LAW 1-95. Only those  
business enterprises that have  
been issued a CERTIFICATE OF  
REGISTRATION under this law  
PRIOR TO BID OPENING are  
authorized to submit bids. Bids will  
be considered NON-RESPONSIVE  
if bidder DOES NOT have a Cert.  
of Reg. Bid documents available  
and SEALED BIDS will be recd. at  
the Constr. Br., Bu. of Material  
Mgmt., 613 G ST., N.W., WASH.,  
DC, Rm 1003, PHONE 727-0171.  
SEALED BIDS to be publicly  
opened and read on JULY 29, 1983,  
3PM, in the Bid Opening Rm.,  
#1011, 613 G ST., N.W., COST  
RANGE \$100,000-\$200,000.

022796  
**FENCE COMPANY**—Chain link re-  
pair work; apt. project in Suitland,  
Md. Call Mrs. Hill, OXFORD  
KNOLLS, 4866 Eastern Lane,  
735-4555.

**HOWARD COUNTY  
SOLICITATION OF  
EXPRESSIONS OF INTEREST**

Completed A-E Questionnaires are  
due by 4:30 P.M. in the Division of  
Purchasing for

**LANDSCAPE ARCHITECTURAL,  
ARCHITECTURAL, ARCHAEO-  
LOGICAL AND ENGINEERING  
SERVICES** to develop design doc-  
uments for a master plan and  
construction of a 20 acre Waterloo  
Neighborhood Park, Capital Proj-  
ect N-3063, by Friday July 29,  
1983.

**LANDSCAPE ARCHITECTURAL  
& ENGINEERING SERVICES** to  
design an 11 acre park in the  
Village of Kings Contrivance, Cap-  
ital Project N-3902AA until Friday  
July 29, 1983.

**ENGINEERING DESIGN SER-  
VICES** for approximately 7,000 feet  
of 8" gravity sewer under Cap-  
ital Project S-6092 along Dorsey Run  
and Mission Road, by August 8,  
1983.

**ENGINEERING DESIGN SER-  
VICES** for approximately 25,000  
feet of sewer along Dorsey Run  
between Old Montgomery Road  
and Interstate 95, and also along  
Allen Lane and Lark Brown Road  
under Capital Project S-6053 by  
August 8, 1983.

**ENGINEERING DESIGN SER-  
VICES** for the reconstruction of the  
Triadelphia Road Bridge (HO 70)  
and its approaches, Capital Proj-  
ect B-3804B, by Friday July 22,  
1983.

**ENGINEERING DESIGN SER-  
VICES** to prepare a hydrologic and  
hydraulic study of Clydes Branch,  
a tributary to the Middle Patuxent  
River, Capital Project D-1028, by  
Friday, July 22, 1983.

**ENGINEERING DESIGN SER-  
VICES** for the Dorsey Run Pump  
Station under Capital Project S-  
6071 by Friday July 22, 1983.

Howard County hereby notifies all  
parties that Minority Business En-  
terprises will be afforded full op-  
portunity to submit Expressions of  
Interest in response to this notice  
and will not be subjected to dis-  
crimination on the basis of race,  
color, sex, or national origin in  
consideration of an award. It is the  
goal of Howard County that  
Minority Business Enterprises par-  
ticipate in 10% of the total value of  
such contracts. Non-minority bid-  
ders shall submit with such  
Expressions of Interest the  
County's Minority Affirmative  
Action Certificate.

Persons or firms interested in  
submitting an Expression of  
Interest are requested to pick up a  
page explaining the required  
elements from the Division of  
Purchasing, Second Floor, John  
Lee Carroll Building, 3450 Court  
House Drive, Ellicott City, Mary-  
land 21043 or call (301) 992-2036.

By Order,  
William E. Eakle  
County Administrator

*Addendum*

- 11/07/84 - Evidence of continued seepage along road observed.
- 11/19/84 - Evidence of continued seepage along road observed.
- 11/21/84 - Evidence of continued seepage along road observed.
- 1/25/85 - Snow cover prevents inspection of area of overflow.

To Craig  
Date 2/20/85 Time 3:45 ~~A.M.~~   
P.M.

## WHILE YOU WERE OUT

Mr. Ellis  
of \_\_\_\_\_  
Phone 799-5275  
Area Code \_\_\_\_\_ Number \_\_\_\_\_ Extension \_\_\_\_\_

TELEPHONED	<input checked="" type="checkbox"/>	PLEASE CALL	<input checked="" type="checkbox"/>
CALLED TO SEE YOU	<input type="checkbox"/>	WILL CALL AGAIN	<input type="checkbox"/>
WANTS TO SEE YOU	<input type="checkbox"/>	URGENT	<input type="checkbox"/>
RETURNED YOUR CALL	<input type="checkbox"/>		<input type="checkbox"/>

Message \_\_\_\_\_

SHG WILL SEND PUMP RECEIPT.  
WILL CALL WHEN REPAIR COMPLETE,  
2/22/85

[Signature]  
Operator

No. 16 FEB 1985

Received from ELLIS  
Clean Septic Tank

100 Dollars

For \_\_\_\_\_

\$140.00 Ernest Blackship  
Paid 9968167