

BOARD OF COUNTY COMMISSIONERS' S MEETING

Monday, August 16, 1971

Present: George R. Aud, President
J. Wilmer Bowles, Commissioner
J. S. Guy, Jr., Commissioner
Robert E. Wigginton, County Attorney
Paul R. Raley, Administrative Officer
Judy D. Bowles, Secretary (Recording)
Rick Thompson, Beacon
Jack Kershaw, Enterprise
Dick Myers, WKIK

The meeting came to order at 10:15 A.M.

The minutes of the previous meeting were not read.

Harry Ludeberg School of Seamanship - Rehearing

The matter of the request of the Ludeberg Maryland Seamanship School, Inc. for a re-hearing on the denial of the original request for abatement of the personal property taxes for the years 1968 and 1969 was brought up for discussion.

The Commissioners felt that whether or not the school was entitled to an exempt status at the time the taxes were certified was immaterial. They felt that the fact that a timely protest had not been filed with the State Department of Assessment and Taxation within the time allowed precludes the school from claiming an abatement on the grounds it should have been exempt. It was noted that at no time had the school requested tax exempt status for its real estate taxes until the current year of 1971-72. It is further noted that in the petition for re-hearing it was stated that the State Department of Assessments and Taxation suggested an amended charter because its original form might not entitle the school to an exempt status.

The Commissioners decided that no facts were presented at the original hearing on March 17, 1971 nor since that date that would indicate that it would be unjust to refuse abatement. The fact that the personnel of the school did not claim exemption within the time provided for does not render refusal to abate unjust.

The Commissioners were of the opinion that the matter of the tax status of the school for 1970 taxes has no bearing on the County's right to collect the taxes for 1968 and 1969. Therefore, because of the foregoing it was moved and seconded that the motion for re-hearing would be denied and that the necessary steps to effect collection of the 1968 and 1969 personal property taxes be taken.

Voting in favor of the motion were Mr. J. Wilmer Bowles

and J. S. Guy, Jr. Mr. Aud abstained.

Participation in the Fiscal 1972 "Department of Transportation - County Highway Construction Bonds - Second Issue, Second Series."

Mr. Aud presented for consideration a draft of an Agreement to be entered into between the County and the Department of Transportation of Maryland, pursuant to Section 211G-1 of Article 89B of the Annotated Code of Maryland as amended to date, to secure the repayment of the participation by the County in the proceeds of the issue of Department of Transportation - County Highway Construction Bonds, Second Issue, Second Series, to be issued by the Department of Transportation pursuant to said Section 211G-1 in the fiscal year beginning July 1, 1971.

Mr. Aud explained that the County had requested participation in said bond issue to the extent of \$700,000 and that the proposed Agreement now before the Board is called for by said Section 211G-1 as a condition precedent to the issuance of said bonds and has the effect of pledging to the payment of the principal and interest on such bonds so much of the County's share of Highway User Revenues allocated to it by Sections 34 and 38A of said Article 89B (after provision for sinking fund requirements for County Highway Construction Bonds issued prior to 1968, and County Highway Construction Bonds, Second Issue, First Series) as might be necessary to defray the County's share of the said principal and interest payments.

Mr. Aud further called attention to the following significant features of the proposed Agreement:

(a.) That the proposed issue of bonds will be payable in serial installments over a period of fifteen years;

(b.) That the County reserves the right to terminate the Agreement upon compliance with the conditions set forth in Section 4 of the Agreement;

(c.) That the County covenants to levy, so long as the Agreement is in effect, taxes sufficient to collect a minimum revenue of One Dollar (\$1.00) per capita of County population, in accordance with the provision of said Section 34 in order to assure the continuance of the County's sharing in said Highway User Revenues;

(d.) That the County's share of the above described bond issues can only be expended on County road construction and reconstruction projects, to make major repairs of County roads necessary to eliminate damage caused by severe and unforeseen weather conditions and to provide local participating funds for federally aided highway projects.

The secretary then read the proposed Agreement in full to the Board. The County Attorney stated that he had reviewed the proposed Agreement and approved it as to form and legality.

Thereupon, on motion of Commissioner Bowles, seconded by Commissioner Guy and unanimously carried, Resolution No. 71-23 was adopted, pertinent to the foregoing.

Subj: Department of Transportation -
County Highway Construction
Bonds, Second Issue, Second
Series.

RESOLUTION

RESOLUTION OF THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY AUTHORIZING AND APPROVING A CERTAIN AGREEMENT BETWEEN THE DEPARTMENT OF TRANSPORTATION OF MARYLAND AND THE COUNTY TO SECURE PAYMENT OF COUNTY'S PROPORTIONATE SHARE OF THE PRINCIPAL OF AND INTEREST ON AN ISSUE OF BONDS BY SAID DEPARTMENT TO BE KNOWN AS "DEPARTMENT OF TRANSPORTATION - COUNTY HIGHWAY CONSTRUCTION BONDS - SECOND ISSUE, SECOND SERIES," AND TO BE ISSUED PURSUANT TO SECTION 211B-L OF ARTICLE 89 B OF THE ANNOTATED CODE OF MARYLAND AS AMENDED TO DATE, DIRECTING THE PRESIDENT AND THE ADMINISTRATIVE OFFICER OF THE BOARD TO EXECUTE SAID AGREEMENT ON BEHALF OF THE COUNTY AND TO TAKE SUCH OTHER AND FURTHER ACTION, ON BEHALF OF THE COUNTY, PURSUANT TO SECTION 211G-1 AND SAID AGREEMENT, AS MAY BE NECESSARY TO OBTAIN FOR THE COUNTY ITS SAID PROPORTIONATE SHARE.

WHEREAS, Section 211G-1 of Article 89B of the Annotated Code of Maryland as amended to date, authorizes the Department of Transportation of Maryland to issue its bonds to provide the several counties of the State with funds to assist said counties to accelerate their programs of county highway construction and reconstruction, to make major repairs of County roads necessary to eliminate damage caused by severe and unforeseen weather conditions and to provide local participating funds for federally aided highway projects upon the condition that each county participating enter into an appropriate agreement with said Department to secure the payment of such county's proportionate share of the principal of and interest on any such bond issue; and

WHEREAS, the County intends to participate in the issue of bonds contemplated by said Department of Transportation for the fiscal year beginning July 1, 1971; and

WHEREAS, said Department of Transportation has submitted to the County for execution, a proposed agreement complying with said Section 211G-1, which said agreement is acceptable;

NOW, THEREFORE, BE IT RESOLVED BY THE BOARD OF COUNTY COMMISSIONERS OF ST. MARY'S COUNTY:

Section 1. That the proposed Agreement between the Department of Transportation of Maryland and the County, as above recited, is hereby approved and, when properly executed, as hereinafter provided, shall constitute a binding contract of St. Mary's County in accordance with its terms.

Section 2. ~~That~~ the President and the Administrative Officer of the Board be and they are hereby authorized and directed to execute said Agreement in three counterparts and to affix the County Seal to each of said counterparts.

Section 3. That a copy of said Agreement, when executed, shall be spread upon the Minutes of this Board.

Section 4. That the President and the Administrative Officer of the Board be and they are hereby authorized to take such other and further action as may be necessary and proper to effectuate the purposes and provisions of said Agreement and to secure for the County its proportionate share of the proceeds of such bond issue.

Section 5. That this Resolution shall take effect from the date of its passage.

ROADS MEETING

Present: Mr. Douglas Bond

Grampton Road

Mr. Guy said that the road is washing out and needs cleaning up and ditching.

Chaptico- Mill Road

Mr. Guy requested that calcium chloride be placed on the road to keep down the dust.

Chaptico-Bushwood Road #238

Due to the fact that there is a lot of traffic on this road and construction is in progress, Mr. Guy suggested that calcium chloride be placed on the road.

Laurel Grove - Mary Dixon Road

Mr. Bowles stated that this road needed tarring and chipping. Mr. Bond stated that they were quite busy at this time, but would get to it as soon as they could. Mr. Bowles then requested that it be treated with calcium chloride to hold the dust down until such time as it could be tarred and chipped.

Buster Hanson Road - Redgate

Mr. Bowles also stated that this road was in need of tar and chip work, and requested that until such times as this could be done, that it be treated with calcium chloride.

Side Road off Buds Creek on Rt. 234

This side road is open between Chaptico and Buds Creek above Indian Town Farm. Mr. Guy asked why this road is still open. Mr. Guy stated that in this road, people were using this area as a dumping spot. There was trash, cans, refrigerators, and other discarded debris. He asked if this road couldn't be barricaded. Mr. Bond said that he would check into the matter.

Half Pone Point Road

Mr. Aud suggested that a speed limit be placed on this road of 30 mph. (Mr. Louis Burch was to attend the meeting at 3:15; however, he did not show up. He was coming to the meeting to discuss a speed limit being placed on this road, but didn't say how many miles per hour. Consequently, we do not know what he would have suggested.)

Task Force - Hog Pollution

Present: Mr. Walter Raum
Mr. John Hall IV
Mr. Joseph Trumbauer

Mr. Guy requested the other members of the Task Force to appear at the meeting because they were in a position to make a report.

Mr. Raum stated that the Task Force confined their visits to the St. Clements Bay and St. Catherine's Sound area due to the fact that these were threatened with closing. He stated that a sampling program had been set up on each farm. He then presented the Board with their report.

In the report were Guidelines to be followed. The Task Force visited eight livestock farms and made visual inspections of any connection between the livestock and the natural waters. Their findings were listed on farms number 1 through 8 in the report.

Mr. Raum stated that on the farms visited the farmers had made considerable improvements. In some cases the farmers had moved the livestock from the streams and were being watered by the farmers.

Mr. Guy stated that the report at this time indicates that they had established contact with the farmers to check on

water quality on each farm and along these lines the farmers had made corrections on their own and stated that they had to have a period of time to develop these standards. He also stated that the Task Force would be going into the Wicomico Watershed are to visit farmers who have been given orders for correction. Mr. Guy advised that the report would bring the County Commissioners and all concerned about the pollution problem up to date as to the Task Force's progress.

Mr. Aud expressed his thanks to those who had worked so hard on the Task Force in keeping us informed as to what is being done. Mr. Aud then invited the Press to ask questions of the Task Force.

Jack Kershaw: Mr. David Sayre of the St. Mary's County Waterman's Association stated that there would be a delay in the opening of the oyster season. Do you think that these waters will not be closed?

Walter Raum: How long a delay did Mr. Sayre have in mind?

Mr. Kershaw: As late as October or November.

Mr. Bowles: If approval is received, do you believe the waters would or would not be closed?

Mr. Raum: I would hope that they would not be closed. Hopefully the situation will be corrected.

Mr. Guy: It certainly would be a big "if".

Mr. Guy: We are also concerned about the other water pollution in the St. Catherine's Sound area. The State lab technician is on vacation. The County Commissioners are going to hire a private agency instead of waiting for the State.

Mr. Aud: The Task Force is trying to prevent the waters from being closed.

Mr. Bowles: The Task Force is protecting our waters on our own behalf instead of the State.

Dick Myer: Are we working with a Task Force in Charles County?

Mr. Raum: They do not have one.

Mr. Guy: We will supply Charles County with our report and findings.

Mr. Bowles: We are in hopes that our report and finding will in some way help Charles County.

Rick Thompson: The watermen are concerned as to whether the Potomac River will be open.

Mr. Raum: From my point of view, I certainly hope so.

Jack Kershaw: How long before the samples will be back from Baltimore on the tidewater tests?

Mr. Raum: Eight to ten days.

Mr. Kershaw: Do you have to wait until all the test come back collectively to develop a true picture.

Mr. Raum: Yes. We will then wait to start a new count when we feel the coliform count is down.

Mr. Kershaw: How much of the pollution problem is due to farm animals.

Mr. Raum: The bulk of the problem in St. Clements Bay is contributed to Farm animal; however St. Catherin's Sound, Canoe Creek and St. Patrick's Creek are questionable as whether farm animals are causing the pollution.

Mr. Bowles: The Task Force is of the opinion and are reasonably sure it is not the livestock that is causing the pollution in these areas.

The discussion on the pollution problem was then ended.

Bills Approved:

\$1530.00 - Locker and Wigginton - Services for July, 1971

181.00 - National Association of Counties - Member Fee

These bills were approved by the Board of County Commissioners and a memorandum to this effect was sent to Mr. Harris Sterling, Director of Finance.

\$700.00 Check - Recreation and Parks - Transportation of Retarded Children

Mr. John Baggett, Director of Recreation and Parks, presented a check in the amount of \$700 to the County Commissioners for their approval to be placed in the Transportation Fund of his Department.

Mr. Harris Sterling will review and make recommendations.

Miss Helen Baker - Nursing Scholarship

The County Commissioners approved the scholarship award to Miss Helen Baker, as she had met all the requirements.

Mr. L. Earl Griswold - St. Mary's County Film

A letter from Mr. Griswold was read to the County Commissioners. In the letter Mr. Griswold stated that he

further clearances to do other filming in St. Mary's City, Patuxent NATC, the Historical Society, Churches, 4-H Club Groups, Recreation and Parks, County Fair, Blessing of the Fleet, etc.

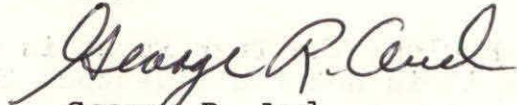
Attached to the letter was a draft of a letter suggested by Mr. Griswold to be sent to key people asking their cooperation.

Mr. Aud asked the secretary to work on these letters and mail them to those concerned in Mr. Griswold's letter.

Mr. Griswold also requested that the County Commissioners find a boat from which he could film the Blessing of the Fleet and also during the same week arrange for him to do some general coverage on the Patuxent NATC.

The meeting adjourned at 3:10 P.M.

Approved,



George R. Aud
President