



# Commissioners of Leonardtown

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DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## Town Council Meeting Minutes June 10, 2024

Live streamed video of the meeting can be found on  
YouTube – [www.youtube.com/c/TownofLeonardtown](http://www.youtube.com/c/TownofLeonardtown)

Attendees: Daniel W. Burris, Mayor  
J. Maguire Mattingly IV, Vice President  
Nick Colvin, Council Member  
Heather M. Earhart, Council Member  
Christy Hollander, Council Member  
Mary Maday Slade, Council Member

Also, in attendance were: Laschelle McKay, Town Administrator; Teri Dimsey, Executive Secretary; Mike Bailey, Planning; Will Morehead, JustTech; Emily Stagner, Main Street Manager, Kristy Parker, LBA; LCpl Roszell; Roger Mattingly, Resident; Deputy Nelson; Shane Mattingly, Attorney; John MacDonald; OTP; Sherri Burch, Cedar Lane Sr; Jimmy Hayden; Realtor; Laura Clarke, Clarke Consulting; Eric Golden/Attorney, Cedar Lane Sr. A complete list of attendees is on file at the Town Hall.

Mayor Burris asked Councilmember Colvin to give the invocation and Ms. Dimsey to lead the Pledge of Allegiance.

### Approval of Minutes

Mayor Burris entertained a motion to approve the meeting minutes of May 13, 2024.

**Councilmember Mattingly moved to approve the minutes of May 13, 2024 as presented; seconded by Councilmember Slade; motion passed unanimously.**

### Election of Council Vice President

Ms. McKay reported that as we have newly elected officials, Mayor Burris is suggesting that Councilmember Mattingly continue as Vice President unless there is any objection this requires a consensus from Council.

Council gave consensus to appoint Councilmember Mattingly for another term as Vice President.

### Treasurers Report – Ms. McKay

Ms. McKay reported that we are in the last month of our fiscal year and the new fiscal year begins on July 1<sup>st</sup>. We did an extensive review on our income revenue which is in line with the projection but we are expecting to receive a large income tax amount in August along with Highway User Fund installment which is typically received in August. There are a few items to point out in the Capital Outlay under general government in recreation and parks as there was an overlap from projects last year that crossed over into this fiscal year which looks to be over budget but it is not. There are also a couple items under community development where we received larger grant

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**COUNCIL:** NICK COLVIN      HEATHER M. EARHART  
CHRISTY HOLLANDER      J. MAGUIRE MATTINGLY IV      MARY MADAY SLADE

money than budgeted. We are closely watching salaries in the waste water treatment and the water collection system as they are close or over, we just want to make sure we don't go over in the fund and may use other savings and funds if necessary.

Councilmember Slade inquired about the Amusement Tax. Is there a way to figure out who is taxed with the Town of Leonardtown?

Ms. McKay responded that we may have a report we can look at for this information.

#### **Planning and Zoning Report – Mike Bailey**

Mr. Bailey reported that there were two items heard:

- **Case No. 05-05 A - Splash-In Carwash – Lot 2** – Gordon Ragan Subdivision  
Request for a Final approval for site development plans for a 3,543 sq. ft. Car Wash subject to MD State Highway approval. ***They received final approval, pending fire marshal and state highway approval.***
- **Case No. 56-23 – Child Care Facility– Governmental Center Complex.** Request for Concept approval for site development plans for a 6,347 sq. ft modular building. ***They received concept approval to proceed with their design.***
- **Case No. 71-21 – Cottages of Leonardtown – 22800 Lawrence Avenue.** Request for final approval for site development plan for eight (8) cottages in PIRD development and subdivision plat approval. ***They received their final approval, pending soil conservation and health department approval.***

#### **Police Report – Cpl. Roszell**

Cpl. Roszell provided a written report of her activities.

Councilmember Mattingly noted that new speed limit and "Slow School Children" signs have been posted along Lawrence Avenue and hope they will encourage drivers to slow down.

Councilmember Slade inquired if there has been an increase noticed of people driving down the wrong side of the square along Washington Street?

Ms. McKay responded that we do receive reports on occasion of seeing a wrong way driver but we have freshly painted the arrows and marked the roads along with putting up additional signage which we hope will provide better visibility to drivers on which way to drive around the square.

#### **Town Administrator Report – Laschelle McKay**

Miss Lillian "Lili Belle" McDowell lives in Meadows at Town Run and is a rising senior at Leonardtown High School. Lili Belle introduced herself as Miss Leonardtown Teen USA and as a contestant in the Miss Maryland pageant she was a Top 15 Semi Finalist in the Miss Teen Maryland USA pageant and voted as Maryland's Miss Congeniality USA. She spoke about the impact she would like to make on today's present and future generation on professional awareness and resilience of perseverance through challenging obstacles after experiencing two concussions. She is advocating for more awareness, understanding and improving the medical implications and treatment of concussions which can leave profound complications if not treated correctly or even noticed in time. She thanked the Council for having her share her platform today and their support.

**4:15 Public Hearing- Annexation of three parcels of Real Property requested by Cedar Lane Senior Living Community III, Inc.** - Resolution 2-24 for the request to annex three parcels of land into the Town by Cedar Lane Senior Living Community III, Inc. was introduced at the April 8, 2024 Town Council meeting. Notification was sent to Maryland Dept. of Planning, Tri County Council and the Commissioners of St. Mary's County on April 29, 2024 as required. Comment letters from MDP and the BOCC are attached. The public hearing was advertised in the County Times on May 23rd and May 30th as well as the Town website. The property was posted and the adjacent neighbors were notified by certified mail. No comments have been received to date.

The three parcels requested for annexation are Map 40, Grid 6, Parcel 71 (25,894 square feet +/-), Tax Map 41, Grid 1, Parcel 220 (3.91 acres +/-) and Tax Map 40, Grid 6, Parcel 133 (1.34 acres +/-).

**Mayor Burris entertained a motion to close the regular meeting and open the Public Hearing on Annexation.**

**Councilmember Mattingly moved to close the regular meeting and open the public hearing on Annexation of three parcel of real property requested by Cedar Lane Senior Living Community III, Inc.; seconded by Councilmember Slade, unanimously passed.**

Mr. Johnston, resides at 22620 Cedar Lane Road. As a concerned resident whose home is adjacent to Cedar Lane Living Center, there are a few questions. Does the Town offer an exemption from the annexation fee for him to join the Town? Is there a plan to bring water and sewer down to Cedar Lane Road when they build the new fire station? Will Cedar Lane Senior Center provide a privacy fence for the existing homeowner during the construction phase? Will there be an exemption for cost of joining the town's water/sewer lines?

Ms. McKay responded to Mr. Johnston's questions:

- If you wanted to be part of the annexation you would have had to notify and apply to the Town in April of 2024 when this annexation was advertised and the neighborhood notified. We would not be able to add your property at this time but we may be able to do so as a separate annexation. We can work with you if this is something you want to pursue. We would not be able to waive the annexation fee as there is a lot of administrative and legal work for this process. Our fees are very, very low compared to the county and we do the majority of the work for the applicant.
- There is a plan for Cedar Lane Senior Living to extend the water and sewer lines to the new facility and we have not yet received a plan for a fire station or rescue squad at this point for the Mattingly property. There is some interest on the property but they have not yet submitted any plans and this property would access off of Route 5 and not Cedar Lane Road.
- To tie into the water and sewer, there are impact fees involved and it would be the rate at the current time. Currently there are water/sewer fee and connection fees if you are not connected but, if you annex in at this time and you do not have a need for the water/sewer then you would just pay at the time you do have a need for it. There are no waivers for impact fees as they are to pay for any expansion for the Town water and sewer facilities and we would want to make sure that our current residents do not pay for any growth projects. The average impact fee is approximately \$21,000.

- During the planning process, the Planning Commission will look at buffering and Cedar Lane will be very cooperative with the neighbors to provide some sort of buffer during the construction phase. This would not be discussed today but, it will be discussed during the Planning and Zoning Commission meeting when they present their plans.

**Hearing no more comments, Mayor Burris entertained a motion to close the public hearing and open the regular meeting.**

**Councilmember Hollander moved to close the public hearing and open the regular meeting; seconded by Councilmember Colvin, motion passed.**

Ms. McKay reported that the Maryland Department of Planning asked that we get the St. Mary's County Commissioners to agree to go from the current zoning to residential multi-family which is significantly different from the Town zoning versus the County zoning. We do have a letter acknowledging that the St. Mary's County Commissioners are in agreement with the zoning change. They would also agree to put into the Priority Funding Area once the Annexation is final. We also have the introduction of Resolution 2-24 in April, along with the Annexation plan and the recent Annexation agreement.

Mr. Golden, Executive Director, Cedar Lane Senior Living, remarked that they will certainly work with Mr. Johnston during the construction phase, he is a valued neighbor and they want to assist and coordinate with making the process the least disruptive as possible.

**Councilmember Mattingly moved to approve the annexation agreement between Cedar Lane Senior Living Community III, Inc and the Commissioners of Leonardtown; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

**Resolution 2-24- Annexation of three parcels of real property totaling 5.844 acres +/- by Cedar Lane Senior Living Community III, Inc.** - Following the public hearing on June 20, 2024 the Town Council may take action on the proposed resolution 2-24.

**Councilmember Slade moved to approve Resolution 2-24 Annexation of three parcels of real property totaling 5.844 acres +/- requested by Cedar Lane Senior Living Community III, Inc.; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.**

**4:30 Public Hearing- Annexation of 19.51 +/- acres, Map 41, Grid 1, Parcel 195 Alfred S. and Joan C. Mattingly** - Resolution 3-24 Annexation of 19.51 acres of real property by Alfred S. and Joan C. Mattingly was introduced April 8, 2024. Notification was sent to Maryland Dept. of Planning, Commissioners of St. Mary's County and Tri County Council on April 29, 2024 as required. Comment letters from MDP and the BOCC are attached. The public hearing was advertised in the County Times on May 23rd and May 30th as well as the Town website. The property was posted and the adjacent neighbors were notified by certified mail. No comments have been received to date. The property is located on Tax Map 41, Grid 1, Parcel 195.

Following the public hearing the Council can take action on the Annexation Agreement prior to action on the Annexation Resolution.

**Mayor Burris entertained a motion to close the regular meeting and open the public hearing.**

**Councilmember Mattingly moved to close the regular meeting and open the public hearing on Annexation of Alfred and Joan Mattingly real property; seconded by Councilmember Slade, motion passed.**

Ms. McKay stated we have not received any comments.

Mayor Burris asked those present if anyone would like to make any comments?

Ms. Williams, Blacksmith Road, expressed that they will miss their neighbors but understand their decision and have no objections and will continue to be involved through the planning process.

**Hearing no more comments, Mayor Burris entertained a motion to close the public hearing and open the regular meeting.**

**Councilmember Mattingly moved to close the public hearing and open the regular meeting; seconded by Councilmember Slade; motion passed.**

**Councilmember Colvin moved to approve the annexation agreement between Alfred S. and Joan C. Mattingly and the Commissioners of Leonardtown; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

**Resolution 3-24- Annexation of 19.51 Acres +/- by Alfred S. and Joan C. Mattingly**

Following the public hearing Council can take action on Resolution 3-24.

**Councilmember Slade moved to approve Resolution 3-24 Annexation of 19.51 acres +/- by Alfred S. and Joan C. Mattingly known as Tax Map 41, Grid 1, Parcel 195; seconded by Councilmember Mattingly, no further discussion, motion passed unanimously.**

**Task Order #20-B- GHD, Inc. Meadows at Town Run Water Storage Tank Construction Services** - GHD Task Order 20 was approved January 2020 for design of the water storage tower at Meadows at Town Run II. Task order 20A added services to add the storage yard to the design and to acquire the Water Appropriation Permit thru MDE. This task order would be for construction services of the tower project in the amount of \$438,000. This is anticipated to be an 18-month project and would also include additional design items to add the well to be dug in conjunction with the tower construction.

**Councilmember Slade moved to approve Task Order 20-B with GHD, Inc. for construction services for the Meadows at Town Run elevated storage tank in the amount of \$438,000; seconded by Councilmember Colvin, no further discussion, motion passed unanimously.**

**Liquor License Letter of Support- The Rex Extension of Premise for October 19th Concert**  
The Rex would like to do their normal concert extension of premise for the upcoming concert on the square, October 9, 2024. A map of the event layout is provided for review.

**Councilmember Mattingly moved to send a liquor license letter of support for the Rex for an extension of premise for the concert on October 19th in the Square; seconded by Councilmember Slade, no further discussion, motion passed unanimously.**

### **Main Street Update- Emily Stagner**

Ms. Stagner reported that she attended the National Main Street Conference, held in Birmingham, Alabama. There were over 2,000 other Main Street Managers in attendance and the conference had an overwhelming selection of educational sessions. Next year's conference will be held in Philadelphia, so much closer to home which will allow for a few others to attend. Looking forward to attending MML Summer Conference and Main Street Maryland has a luncheon planned with Secretary Jake Day which will be a valuable opportunity to network with other Maryland Town Main Street Managers.

### **Mayor's Report – Mayor Burris**

Mayor Burris noted that there was a Fallen Heros memorial this past weekend and a dedication of a bench that will be placed at the Wharf for Brice Trossbach.

### **LBA Report – Kristy Parker**

Ms. Parker reported that the LBA will hold an election of a new board at the next meeting being held at 8:30 a.m. this Friday. We were present during the Fallen Heros event and the dedication of the bench for Brice Trossbach. Also, we have received some key sponsor funds

### **Events – Heather Earhart**

Councilmember Earhart stated that the bench is very special and it was a well-attended memorial event.

### **Community Development and Planning – Nick Colvin**

Councilmember Colvin congratulated Good Earth on their 25<sup>th</sup> Anniversary and reminded everyone that this Friday, June 14<sup>th</sup>, is Flag Day and invited everyone to attend at the Governmental Center.

### **Utilities – Christy Hollander**

Councilmember Hollander thanked the staff for their quick efficient work to shore up the McIntosh Run pump station.

### **SMMA Update – Jay Mattingly**

Councilmember Mattingly reported that he attended the Hometown Heros event to honor our local hero Brice Trossbach and the dedication of the memorial bench. The MML Summer Conference is coming up June 23 to June 26 in Ocean City and is looking forward to attending and presenting, with Ms. McKay and Tom McGilloway, one of the sessions "the Butterfly Effect" on Leonardtown.

### **Business Development – Mary Maday Slade**

Councilmember Slade remarked that she invited Nicole, from the Health Department, to present, to her small businesses, the Narcan session, which was presented to the LBA, and continues to be presented to a variety of groups so that we are more informed about being proactive on this issue. She has a neighbor who can provide some interesting statistics on the opioid situation which is actually more disturbing with higher incidents when compared to COVID. They provided us with a Narcan dispenser which we have put up in our office along with instructions on how to use.

Ms. Stagner noted that, after the Opioid/Narcan training, the Health Department provided the Town with Narcan dispensers that have two doses, as well as some CPR PFEs, so we have placed two down at the Wharf, one in each restroom and signage will be put up to note where the dispensers are located should they be needed in an emergency situation.

**Mayor Burris entertained a motion to adjourn.**

**Councilmember Mattingly moved to adjourn the meeting at 4.48 p.m.; seconded by Councilmember Slade, motion passed unanimously.**

Mayor Burris remarked that he will be available for any discussions for the next 30 minutes.

Respectfully Submitted:

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Teri P. Dimsey

Approved:

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Daniel W. Burris, Mayor

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Nick Colvin, Councilmember

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Heather M. Earhart, Councilmember

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Christy Hollander, Councilmember

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J. Maguire Mattingly IV, Councilmember

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Mary Maday Slade, Councilmember

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