

Commissioners of Leonardtown
Town Council Meeting Minutes
December 11, 2006 ~ 4:00 P. M.

Attendees: J. Harry Norris, Mayor
Walter Wise, Vice President
Thomas Collier, Councilmember
Robert Combs, Councilmember
J. Maguire Mattingly, III, Councilmember
Leslie E. Roberts, Councilmember

Also in attendance were: Laschelle Miller, Town Administrator; Jennie McGraw, Plans Reviewer; Rebecca Sothoron, Town Treasurer; Jackie Post, Fiscal Clerk; Mary Ann Murray, Murray and Wamsley; Dan Burriss, LBA; Tommy Mattingly, County Commissioner;

A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Norris called the regularly scheduled meeting to order at 4:00 p.m. After the recitation of the Pledge of Allegiance, Mayor Norris proceeded to take up the first item of business.

Approval of Minutes:

The meeting minutes for the November 20, 2006 Town Council meeting were presented for approval.

Mayor Norris entertained a motion to approve the November 20, 2006 Town Council meeting minutes; Councilmember Collier moved to approve the minutes, seconded by Councilmember Mattingly; motion passed unanimously.

Police Report – Deputy Maloy

For the month of November there were two big events in town, Veteran's Day Parade and Christmas on the Square and we received a lot of help from other officers. The events went very smoothly. I received a traffic complaint from a citizen that along Courthouse Drive and Park Avenue people coming down the hill are running the stop sign and speeding. I parked by the pump station at different times of the day during the month, making my car very noticeable, no violations were observed.

Also a lot of traffic has been backing up at the hospital due to the time of the year and the on-going construction and there have been a few accidents at the intersection of Moakley and Abell.

Mayor Norris asked how long a period is the hospital construction?

Ms. Miller stated that it should be only about a month but will look into and get back to the Mayor.

Treasurer's Report – Rebecca Sothoron

In your packet you had November financial information. During the month, \$175,000 was transferred to the checking account. We are 41% through the budget year. We have received two State grant reimbursements totaling \$328,000 for the Wharf project and we have received an additional two County grant payments of \$488,000. You have also received a recommended budget calendar for your review and approval at the January meeting and to please provide significant changes and service comments to incorporate in the budget at that time. Detailed budget requests will not be due until February.

The next project is to submit our State financial report, normally due at the same time as the audit report but they are requiring all municipalities to submit an electronic version of the report. They are having some trouble with it and just today I spoke with the department that is in charge of that report and trying to get the database working to give me passwords and things and needs to be submitted by January 1st. This report also has to be reviewed by the audit firm.

Audit Report – Financial Statement

Ms. Sothoron introduced Mary Ann Murray of Murray and Wamsley to present to Council a full financial statement, a summary prepared by Ms. Sothoron and two of the required communications that came from Murray and Wamsley.

Ms. Murray reported that Ms. Sothoron has provided a financial summary for your review and will refer to it from time to time. Ms. Murray explained the components that comprise the financial statements. Her ensuing presentation included a detailed analysis of the Basic Financial Statements. She also summarized the Report on Internal Controls which highlights the issue of lack of segregation of some duties; a reportable condition that repeats from prior years. She briefly summarized the required communication letter which addresses the responsibilities of management and the scope of the audit. The final management letter highlighted lack of the following 1) fixed asset inventory 2) computerized permits process and 3) fraud risk management program. None of these are serious enough to be considered reportable conditions, but processes that the Town should strive to implement.

Ms. Murray commented that it is always a pleasure working with Ms. Sothoron and thanked Ms. Miller, Ms. Post and the whole staff for all their assistance with the audit and to please feel free to contact her with any questions.

Mayor Norris noted that the segregation of duties is an issue that is discussed each year and the only way to resolve this is to hire additional staff, which is not cost-effective for the town at this time. The physical inventory is something that staff will discuss and come up with some suggestions to bring before Council for consideration. The computerized software has been purchased and we are moving forward. We will have to do more research regarding the fraud policies.

Ms. Murray stated that this has become a larger issue after some of the big corporate fraud cases and sometimes to obtain funding they require a fraud policy be in place.

Mayor Norris thanked Ms. Murray for her presentation and for providing such good service to the Town of Leonardtown for the past ten years.

Town Administrator's Report – Laschelle Miller

Liquor License Letter of Support for ...P.S. It's All Good Specialty and Gourmet Foods, Wine and Spirits Shop. The owners, Pam Coerber and Sheila Mattingly-Wallo have requested a letter of support to obtain their liquor license at 41685 Fenwick Street for off-site sales of alcoholic beverages.

Member Combs moved to write a letter of support for ...PS It's All Good to obtain an off-site sale liquor license; Member Collier seconded; Member Roberts abstained, motion passed by four Council members.

Introduction of Ordinance 126,127 and 129- Per our workshop discussions on Monday, December 4, 2006 we will be introducing the three ordinances listed above to begin the process for increasing the impact fees.

Ms. Miller asked Ms. Sothoron to describe to the Council the Ordinances in more detail.

- Ordinance 126 is the capacity allocation charges and connection fees. Ms. Sothoron stated that the first Ordinance is intended to codify the rate structure that has been in place for the capital charges associated with new connections to the water and sewer system. It specifically talks about the rates and at what point they are collected in the process. All these ordinances will apply to fees that are payable at occupancy permit. They are different from impact fees, which are set aside to pay for growth-related projects only.
- Ordinance 127 deals with the payment of development of impact fees which are set aside for growth related projects and the Town attorney did expand upon the ordinance that was previously introduced at a Council meeting and added more language about what the fees are collected for and how they need to be segregated and it also deals with the timing of payment which is at occupancy permit.
- Ordinance 129 was written to actually change the rate of the sewer impact fee from \$2,850 per EDU to \$13,000 per EDU and I also provided a revised impact fee schedule that adds all of the impact fees together.

Ms. Miller stated that the Ordinances are just being introduced at today's meeting and will be brought back before the Council at the January meeting and once approved will go into effect at the end of January. Any project that has not received a building permit by that time would pay the new impact fee.

Member Wise inquired as to the effective date.

Ms. Sothoron replied that the effective date, if approved at the January Council meeting, the twenty-date window would begin and the effective date would be January 29, 2007.

Ms. Miller proceeded with her report:

Project Updates

- *Leonardtown Wharf*- A tour is scheduled for Friday, December 8th to see the progress on the site. Commissioner McKay requested an additional \$600,000 of County funds be appropriated for this project at the November 21st County Commissioner meeting. The Board unanimously approved the funding. Staff is now working to modify the existing MOU to cover this additional funding. This leaves approximately \$500,000 unfunded. However, we have two grant applications pending in the amount of \$500,000. We have met with Cianbro and Wayne Davis to explore the cost changes we will experience by missing the November 1st deadline and also looking for additional cost saving measures. We should have a new proposal for proceeding with phase 3 on the January 8, 2007 agenda.

Ms. Miller noted that Commissioner Mattingly was present today and everyone thanked and applauded him for approving the additional funding.

- *St. Mary's Ryken annexation* - Attached is a copy of the Planning Commission agenda for St. Mary's County for Monday, December 11, 2006. The Ryken item has once again been scheduled to proceed.
- *Pt. of Leonardtown* - I will be meeting this week with the grape growers coop and representatives of St. Mary's County government, as well as Tri County Council staff, to confirm the next steps toward establishing the winery. SMECO is completing burying the lines on the property. I met with Metrocast and they propose that they will bear the cost of burying their lines. They would request that the Town get Delahay to open the trench. Verizon has been contacted and indicated they were not interested in the project. Staff will continue to work with them to try and come up with a solution.
- *Well #5*- AC Schultes will have the new well up and running this week. Well #4 went down on Friday, December 1st and had to have a new motor installed. Town staff monitored the water towers overnight and was able to function on just well #3. Well #4 is back up and running.
- *Streetscape Water and Sewer project* - The project has been rebid. Bid opening is scheduled for December 21, 2006.

- *Streetscape Project* - SHA is putting the project out to bid this month. Mayor Norris and I are presenting the plans at all 3 masses at St. Aloysius this weekend.
- *SMECO Pumpstation* - The grinder pump has been installed and the old pumpstation has been demolished at SMECO.

Mayor Norris commented that it was mentioned during the December Workshop that due to the holiday and having a hard time getting a quorum in December, we discussed the possibility of not having a December Planning and Zoning Commission meeting. We have two or three issues we do not want to rush and we want to make sure we have a quorum. College of Southern Maryland was on the agenda last month for concept approval but will be bringing it forward for both concept and final site plan. Breton Market Place is also on the agenda.

Mayor Norris remarked that one of the things discussed in workshop is that we have a special workshop next month between P&Z and Council to go over what you can and can't do. He would suggest not having a P&Z meeting. Consensus from the Board was received.

Planner's Report – Jennie McGraw

Overview of November Meeting

CASE # 107-06: Tudor Hall Farm Subdivision

Applicant: Keith Allston, Tudor Hall Farm, Inc.
 Location: Tudor Hall Farm, Parcel 500, B-1 and B-2
 Zoning: Mixed Use Development (PUD-M)

The Applicant Keith Allston of Tudor Hall Farm, Inc. requested subdivision approval for a small out parcel located between Hayden's and Sunoco.

The Subdivision was approved. Half of the parcel was incorporated into the Hayden property, and the other half was incorporated into the Sunoco property.

CASE # 70-06: Community Bank of Leonardtown, 25395 Leonardtown Road, Revised Concept Approval

Applicant: Tri-County Federal Savings and Loan
 Developer: Bolton and Associates
 Builder: WM Davis, Inc.
 Location: 25395 Leonardtown Road
 Zoning: Commercial Business (C-B)

The new concept plan was approved.

Council Reports:

Events – Councilmember Mattingly:

Upcoming Events of Interest/Meeting Reminders:

<u>Date</u>	<u>Time</u>	<u>Meeting/Event</u>
Monday, Dec. 11	6 PM-9 PM	Town Christmas Party Open House @ Café des Artistes
Tuesday, Dec. 12	9 AM	Chamber Tourism Committee Meeting @ SM Airport Conference Room
Tuesday, Dec. 12	5:30 PM	LBA Meeting/Christmas Open House @ Burris' Olde Towne Insurance
Wednesday, Dec. 13	12 Noon-3 PM	Health Connections Van in Town Square
Wednesday, Dec. 13	5:30 PM	Chamber Business After Hours @ Maryland Antiques Center
Wednesday, Dec. 13	6 PM	SMMA Legislative Dinner @ Café des Artistes
Dec. 14 - Dec. 23		Leonardtown Lions Club Toy Drive - Toys will be housed by the Town
Dec. 15	5 PM	Loker & Proffitt Building - Christmas Celebration @ Town Hall Conf. Room
Fri. Dec. 15	7:30PM	The Nutcracker Ballet performed by the
Sat. Dec. 16	2 PM & 7:30 PM	St. Mary's Ballet @ CSM Leon.Campus
Saturday, Dec. 16	11 AM-1 PM	Santa & Mrs. Claus on the Town Square
Saturday, Jan. 6	6 PM	Leonardtown Vol. Fire Dept. Dinner & Installation of Officers
Saturday, Jan. 27	6 PM	Leonardtown Vol. Rescue Squad Dinner & Installation of Officers

Grounds – Councilmember Combs:

No report

Streets and Roads – Councilmember Wise:

Member Wise stated that he and Ms. Miller met with Bowles Farm regarding snow removal and disposal in preparation of inclement weather.

Capital Projects – Councilmember Collier:

Member Collier noted that he needed to have a discussion with Ms. Miller and Mayor Norris regarding activity on the McKee property.

MML/SMMA – Councilmember Roberts:

Member Roberts remarked that all would be in attendance for the upcoming SMMA Legislative Dinner on Wednesday, December 13, at Café des Artistes.

Mayor Norris stated that there would be a brief executive session following the meeting concerning zoning issues along Washington Street and possible litigation.

Mayor Norris asked Members Collier and Mattingly how many people they believe attended and how much they thought the rescue squad raised this year for Christmas on the Square as he had heard they had raised over \$12,000 which was much more than usual.

Member Mattingly replied that they raised quite a lot for the festival of trees.

Commissioner Mattingly remarked he believed there were over 5,000 people in attendance.

Ms. Sothoron remarked that Ms. Shepherd's report states they raised \$14,000.

Adjournment:

Councilmember Collier moved to adjourn the meeting. Councilmember Mattingly seconded the motion, which passed unanimously. The meeting adjourned at 5:00 p. m.

Respectfully Submitted:

Teri Dimsey, Recording Secretary

Approved:

J. Harry Norris, III, Mayor

Walter Wise, Vice President

Thomas R. Collier, Councilmember

Robert C. Combs, Councilmember

J. Maguire Mattingly, III, Councilmember

Leslie E. Roberts, Councilmember