



# Commissioners of Leonardtown

---

41660 Courthouse Drive  
P. O. Box 1, Leonardtown, Maryland 20650

301-475-9791 • FAX 301-475-5350  
leonardtown.somd.com

DANIEL W. BURRIS  
Mayor

LASCHELLE E. MCKAY  
Town Administrator

## **Commissioners of Leonardtown** **Town Council Meeting Minutes** **February 9, 2015**

Attendees: Daniel W. Burris, Mayor  
Leslie Roberts, Vice President  
Thomas M. Combs, Councilmember  
Hayden T. Hammett, Councilmember  
J. Maguire Mattingly IV, Councilmember  
Roger L. Mattingly, Councilmember

Also in attendance were: Teri Dimsey, Secretary; Laschelle McKay, Town Administrator; Rebecca Sothoron, Treasurer; Cindy Williams, Planning Assistant; Dick Myers, The Bay Net; Mike Mummaugh, Paragon Properties; Guy Leonard, The County Times; John Edwards, QBH; Steve Woodburn, Resident. A complete list of attendees is on file at the Leonardtown Town Hall.

Mayor Burris requested that Councilmember Hammett lead the invocation and Ms. Dimsey to lead the Pledge of Allegiance.

Mayor Burris moved on to the first order of business.

### **Approval of Minutes**

Meeting minutes for the January 12, 2015 Town Council meeting were presented for approval.

**Mayor Burris entertained a motion to accept the minutes as presented.**

**Councilmember Roger Mattingly moved to approve the January 12, 2015 minutes as presented; seconded by Councilmember Jay Mattingly; motion passed unanimously.**

### **Treasurer's Report** – Rebecca Sothoron

Ms. Sothoron reported that January financial information was provided and no transfers were necessary to or from the Operating Account. We are 58% through the budget year. Half year tax has been billed and we have met and slightly exceeded the revenue projections. There will be a change in the public utility tax due to the SMECO estimate. Next quarterly income distribution will be at the end of February. We did receive the second quarter of the cable TV franchise fee. There is a journal entry for the Community Legacy Grant for the Washington St project at \$75,000 and this will be transferred to the Capital Project Fund. The county tax rebate request was sent to the finance office for \$42,973 which is a decrease from our current year as they have taken the Carter building off of the County tax roll and is now a state owned property. Fiscal Notes continue to come in and be responded to. Ms. McKay and I are moving fast and furious on the ENR project and the required information needed to provide for the loan application.

### **Planning & Zoning Report** – Laschelle McKay

The Planning and Zoning meetings scheduled for November and December 2014 were canceled as there were no items for the agenda.

Our next Planning and Zoning meeting is scheduled for Tuesday, January 20, 2015 at 4:00 p.m. and there are three cases on the agenda:

1. **Case #76-14 – PUBLIC HEARING** – Calvert, LLC is requesting rezoning of Map 32, Parcels 178 and 314 from R-SF to PUD-M so that these properties can be included in their plans for future development of Clark's Rest.
2. **Case #1-15** – 22680 Washington Street – Seymour Properties, LLC has submitted a request for a site plan approval.
3. **Case #2-15** – MedStar St. Mary's Hospital – Map 127, Parcel 527 on Doctor's Crossing Road – The Hospital is requesting a recommendation for concept approval of a Quad House on Doctor's Crossing Road to provide temporary housing for visiting doctors. The proposed project will consist of two 2-bedroom and two 1-bedroom units.

### **Police Report**

Deputy Smolarsky is unable to attend today's meeting but Mayor Burris noted that there has been no outstanding issues this past month.

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

**ENR Upgrade Update-** We have been working with GHD to finalize the bid review and have sent everything to MDE for final approval. We should have the bid award at next month's meeting along with a lot of the financial information.

All Council Members gave consensus to send it forward to MDE for their review and approval and it will then come back to Council for final approval.

**Resolution 2-15 Relating to Post Issuance Tax Compliance Procedures for Non-Conduit Tax Exempt Obligations-** Funk and Bolton, our bond counsel, prepared this resolution regarding IRS regulations for any tax exempt bonds or obligation of the town. This will include funding for the ENR Upgrade. Resolutions may be passed at the same meeting they are read. Ms. McKay read Resolution 2-15 out loud.

Councilmember Hammett asked for an explanation of the difference between a conduit and a non-conduit debt issuance.

Ms. McKay explained that we have similar type with St. Mary's Ryken and Cedar Lane but they are pass-through grants whereas this is a debt obligation to the Town.

Ms. Sothoron remarked that basically the IRS has certain regulations and the Town as the debt issuer has to make sure that we comply with all the regulations but they do not impose those same regulations if you are just giving your tax-exempt authority to another approved recipient. The government allows them to use our tax exempt status to issue their own tax exempt obligations and the only requirement we have is to report it in our financial statements. There is no liability for this type of pass through but with this there are obligations we need to meet.

Mayor Burris entertained a motion on Resolution 2-15.

**Councilmember Roberts moved to approve Resolution 2-15 as read and presented; seconded by Councilmember Combs; no further discussion, motion passed unanimously.**

Ms. McKay noted that the State of the Town is this Friday at 7:30 a.m. at the CSM Auditorium. The LBA members will be presenting along with Town staff.

### **Mayor's Report**

Mayor Burris remarked that he attended the Maryland Mayors Association Annual Winter Conference. A highlight to note is that in the Governor's budget, only part of the original Highway User Fund was calculated, it did not include any grant funds, which will be a dramatic reduction in Highway User Revenue. A supplement budget to include grant funds was submitted and it helps to bring the funds up to what it has been for the last two years. The Governor does have an eight year plan to bring the full funding back up.

Mayor Burris noted that he met with the delegation and they assured him they are pushing for the Route 5 widening and Rt. 245 sidewalk improvements. He and Mrs. Burris attended the reception at the Governor's mansion.

### **Events** – Roger Mattingly

Councilmember Mattingly asked Ms. Fleming to talk a bit about the Southern Maryland Film Festival.

Ms. Fleming remarked that it is a new opportunity put forth by the Leonardtown Arts & Entertainment District. This is a cooperative event between the Southern Maryland Film Society and the Friends of Leonardtown Theater. The Festival is Saturday, July 11 and the idea is to have local businesses be viewing venues with various times/movies for participants to choose to attend. Movies will be made by local film makers in the Tri-County area.

Councilmember Mattingly noted that he, along with Councilmember Jay Mattingly and Hayden Hammett attended the Cedar Lane birthday celebration for their residents turning 90 plus years. It was a great party with lots of dancing.

**Upcoming Events of Interest/Meeting Reminders:**

<u>Date</u>	<u>Time</u>	<u>Meeting</u>
Friday, Feb. 13	7:30 AM	LBA, Inc. State of the Town Breakfast College of Southern Maryland, Bldg A Auditorium
Monday, Feb. 16	HOLIDAY	Town Office CLOSED - Presidents' Day
Monday, Feb. 23	7:30 AM	Southern MD Legislative Breakfast (RSVP) Olde Breton Inn, Leonardtown
Wednesday, Feb. 25	5:30 PM	Chamber Business After Hours (RSVP) Hosted by Stanley Martin Homes @ Pembroke Model 23115 Oleander Way, California, MD
Thursday, Feb. 26	7:00 PM	So. MD Legislative Reception (RSVP) Loews Annapolis Hotel 126 West Street, Annapolis, MD
Friday, Mar. 6	5-8 PM	First Fridays in Leonardtown – for more info Check <a href="http://www.leonardtownfirstfridays.com">www.leonardtownfirstfridays.com</a>
Thursday, Mar. 12 – Saturday, March 14	7:00 PM	St. Mary's Ryken Spring Musical Romuald Hall Theatre
Friday, Mar. 13	8:30 AM	LBA Meeting @ Health Revolutions

**Community Development and Strategic Planning** - Hayden Hammett

Councilmember Hammett reported that there has been much work on focusing on ways to be proactive and plan for what pieces are missing economically around Town such as retail recruitment and other things that the community wants to see. Also an RFP for Economic Development Plan was created and we are waiting on responses.

**ENR Upgrade** – Tom Combs

Councilmember Combs reported that an update was provided during the Town Administrator’s report.

**SMMA Update** – Leslie Roberts

Councilmember Roberts commented that Mayor Burris attended the Annual Mayors Conference and how important it is to interact with the delegation to keep abreast of current issues. The next SMMA meeting will be held on March 4 and there is a big push to get SMMA to work on GIS systems.

Ms. McKay noted that the town does have a GIS system that was used to plot and include all of the fire hydrants in the mapping system. There are different uses for the system and we hope to utilize in the future and to work along with the St. Mary’s County Government system too.

**Safety and Emergency Preparedness** – Jay Mattingly

Councilmember Mattingly reported that there was some road damage along Duke Street and he contacted Mr. Wheatley to have it repaired along with a stop sign that was knocked down at Doctors Crossing Street.

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

**Councilmember Roberts moved to close the regular meeting and open the Public Hearing on Case #2-15 MedStar St. Mary’s Hospital, Request for Quad House, seconded by Councilmember Hammett, motion passed unanimously.**

**Mayor Burris asked Ms. McKay to provide a summary description for Case #2-15 MedStar St. Mary’s Hospital, Map 127, Parcel 527- Request for Quad House concept approval in PUD**

Applicant:	MedStar St. Mary’s Hospital
Owner:	MedStar St. Mary’s Hospital
Engineer:	Mehaffey & Associates, P.C.
Zoning:	PUD
Lot Size:	1 acre +/-

MedStar St. Mary’s Hospital is requesting concept approval to build a Quad House consisting of two 2-bedroom and two 1-bedroom units to serve as temporary housing for visiting doctors. The architectural drawings would be brought forward at final site plan. The proposal is to make the quad look like a single family home. The hospital recently purchased a one acre parcel across from Sunshine Daycare Center on Doctor’s Crossing Road. The site plan shows an entrance off of Doctor’s Crossing. There are parking spaces shown per unit per the Town Code. There was a suggestion that some type of pedestrian connection from the entrance of the Quad house to the intersection of Moakley Street.

Mr. Rick Braam, Vice President of Finance for St. Mary’s Hospital introduced himself and noted that the county is severely underserved by physicians and we are working on a rural residency

rotation for Internal Medicine doctors who would be working the MedStar community practices. Research has shown that physicians homestead where they do their training and we would like to have them continue to live and practice in Southern Maryland. He agreed to provide pedestrian connection and will include that in the concept plan to be presented at the next meeting.

Mayor Burris opened the meeting up to the public for any comments.

Ms. McKay noted that because this property is in a PUD, the Planning Commission sent a favorable recommendation to the Town Council at their January meeting. The final site plan will go back to the Planning Commission for a recommendation and then back to the Council for final approval.

The public hearing was advertised in the County Time and posted on our website. We did not receive any correspondence in regards to this project.

Action Needed Today:

*The applicant is requesting a concept approval. The Town Council can approve, approve with conditions, deny, or delay a decision after the close of the public hearing.*

**Mayor Burris stated that, as there are no comments from the public, he will entertain a motion to close the Public Hearing and open the regular meeting.**

**Councilmember Roberts moved to close the Public Hearing and open the regular meeting, seconded by Councilmember Jay Mattingly, no further discussion, motion passed unanimously.**

**Councilmember Roberts moved to approve the concept plan as presented to include adding a pedestrian connection as discussed; seconded by Councilmember Combs, no further discussion, motion passed unanimously.**

**Mayor Burris reminded everyone that he will be available for discussion after the close of the meeting and entertained a motion to adjourn the regular meeting.**

**Councilmember Combs moved to adjourn the regular meeting at 4:41 p.m.; seconded by Councilmember Jay Mattingly, no further discussion; motion passed unanimously.**

Respectfully Submitted:

---

Teri P. Dimsey

**Approved:**

---

Daniel W. Burris, Mayor

---

Leslie E. Roberts, Vice President

---

Thomas M. Combs, Councilmember

---

Hayden T. Hammett, Councilmember

---

J. Maguire Mattingly IV, Councilmember

---

Roger L. Mattingly, Councilmember