

Council of the Town of La Plata  
Town Hall, La Plata, Maryland  
Special Meeting – 7:00 PM  
October 12, 2010

Present: Mayor Roy G. Hale, Councilman R. Wayne Winkler, Councilman C. Keith Back, Councilwoman Paretta D. Mudd, Councilman Joseph W. Norris; Daniel J. Mears, Town Manager; Danielle Mandley, Town Clerk

Town Staff: Robert W. Oliphant, Treasurer; David M. Jenkins, Director of Municipal Development; Catherine Flerlage, Director of Planning and Zoning; Frederick C. Sussman, Town Attorney

Minutes:

Mayor Hale called the special meeting to order at 7:00 PM, and led the pledge of allegiance.

► Public Forum [No speakers]

► Legislation

Mayor Hale made an announcement to let the record reflect that the final annexation agreement has been attached in lieu of drafts previously attached to the Resolutions as introduced, and are subject to final approval.

Mr. Mears briefly summarized the legislation for consideration of adoption for the purpose of authorizing the annexation of 14.11 acres of land into the Town, and outlined the requirements and conditions.

Mayor Hale mentioned the value of all comments received.

**Resolution 10-13 Approval of Annexation Agreement** (for consideration of adoption)  
– For the purpose of approving and authorizing the execution of a certain Annexation Agreement between the Town of La Plata, Johel Limited Partnership, FCD-Development, LLC, and others in connection with the annexation of 14.11 acres, more or less, of land into the corporate limits of the Town of La Plata; and all matters relating to the amendment of the Annexation Agreement.

Councilman Norris moved to adopt Resolution 10-13 Approval of Annexation Agreement. Mayor Hale seconded the motion. Discussion on the motion: Councilman Back stated that the vote was on the annexation agreement and not the annexation of the land; Mayor Hale briefly discussed the meetings on the annexation agreement and the provisions the agreement contained. Roll call vote: Councilman Norris, Councilman Winkler, and Mayor Hale voted aye; Councilman Back and Councilwoman Mudd voted nay. The motion passed by a majority vote. There was a short break for the Council to sign the adopted annexation agreement and to accept a check for legal expenses in the amount of \$26,701.85 from the petitioner.

**Resolution 10-11 Johel Limited Partnership and FCD-Development, LLC Annexation – 14.11 Acres** (for consideration of adoption) – For the purpose of authorizing the annexation of 14.11 acres, more or less, of land into the corporate limits of the Town of La Plata by amending the corporate limits of the Town; establishing certain terms, conditions and circumstances applicable to such land and to the owners thereof; providing for the zoning of such land upon annexation; ratifying, confirming and validating an Annexation Agreement related to such annexation; and all matters relating to the annexation of such 14.11 acres of land, more or less, into the Town of La Plata.

Councilman Norris moved to adopt Resolution 10-11 Johel Limited Partnership and FCD-Development, LLC Annexation – 14.11 Acres. Mayor Hale seconded the motion. Roll call vote: Councilman Winkler, Councilman Back, Councilwoman Mudd voted nay; Councilman Norris and Mayor Hale voted aye. The motion failed by majority vote.

**Resolution 10-12 Johel Limited Partnership and FCD-Development, LLC Annexation Plan – 14.11 Acres** (for consideration of adoption) – For the purpose of approving an Annexation Plan for the annexation of 14.11 acres, more or less, of land into the corporate limits of the Town of La Plata; and all matters relating to a plan for annexation of such 14.11 acres of land, more or less, into the Town of La Plata.

**Resolution 10-14 Amendment of the Rosewick Annexation Agreement** (for consideration of adoption) – For the purpose of approving and authorizing the amendment of a certain Annexation Agreement between the Town of La Plata and Rosewick Limited Partnership, and others; and all matters relating to the amendment of the Annexation Agreement.

Councilman Back moved to table Resolution 10-12 Johel Limited Partnership and FCD-Development, LLC Annexation Plan – 14.11 Acres, and Resolution 10-14 Amendment of the Rosewick Annexation Agreement. Councilman Winkler seconded the motion and it passed unanimously.

There being no further business, and no voiced objection the Mayor adjourned the special meeting and at 7:13 PM.

Submitted by:

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Danielle Mandley  
Town Clerk