

Council of the Town of La Plata
La Plata Town Hall
December 18, 2012, 7:00 pm
Council Business Meeting
Agenda

1. Call to Order
2. Pledge of Allegiance
3. Approval of minutes
 - 3.1. Review and approval of the November 13 special meeting, November 13 work session, November 27 business meeting and November 27 closed session.
4. Petitions, Communications, Appearances and Public Forum
 - 4.1. Public Forum
 - 4.2. La Plata Police Department monthly report - Chief Gittings
 - 4.3. Swearing in of Officer Paul Jeffery Woodell - Mayor Hale
5. Legislation
 - 5.1. Motion to substitute pending Ordinance 12-21 and attachment, which was introduced November 27, 2012, for Ordinance 12-21a.
 - 5.2. Ordinance 12-21a Election Ward Boundaries Map Update (for consideration of adoption) - For the purpose of repealing the existing ward boundary descriptions in the Town of La Plata and adopting new ward boundary descriptions; and matters generally relating to the description of wards in the Town of La Plata.
 - 5.3. Resolution No. 12-5 Second Amendment of Davis Corporation Annexation Agreement (for consideration) - For the purpose of approving and authorizing a second amendment of a certain Annexation Agreement, as amended, originally entered into between the Town of La Plata, Davis Corporation and others; altering certain requirements relating to the provision of a golf course and recreational amenities on certain portions of the property subject to the Annexation Agreement; and all matters generally relating to the amendment of the existing Davis Corporation Annexation Agreement.
 - 5.4. Resolution 12-8 Tier Maps (for introduction and consideration of adoption) - For the purpose of implementing the Sustainable Growth and Agricultural Preservation Act of 2012 (the Act), by adopting a Tier Map, as required by Senate Bill 236.
 - 5.5. Ordinance No. 12-22 Amendment to Town of La Plata FY2012-2013 Financial Plan/Budget (for consideration) - For the purpose of amending the Town of La Plata FY2012-2013 Financial Plan/Budget; and all matters generally relating thereto.
6. New Business
 - 6.1. Commission Reports

6.2. Appointments to Ethics Commission.

7. Adjourn

COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 12-21

Introduced By:	Mayor Roy G. Hale
Date Introduced:	[scheduled for November 27, 2012]
Town Council Public Hearing:	N/A
Amendments Adopted:	N/A
Date Adopted:	[scheduled for December 18, 2012]
Date Effective:	[if adopted December 18, 2012, effective January 3, 2013]

1 **An Ordinance** concerning

2
3 **Redistricting**

4
5 **FOR** the purpose of repealing the existing ward boundary descriptions in the Town of La Plata
6 and adopting new ward boundary descriptions; and matters generally relating to the
7 description of wards in the Town of La Plata.

8
9 **BY** repealing and reenacting with amendments
10 Chapter 17 – Elections
11 Article III Councilmanic Wards
12 § 17-19A. (1), (2), (3) and (4).
13 Code of the Town of La Plata
14 (1998 Edition and Supplements)

15
16 **WHEREAS**, as a result of the 2010 Census, increases in the Town population made it
17 necessary to adjust the boundaries of the councilmanic wards in the Town so that the four wards
18 will be composed of approximately equal population; and

19
20 **WHEREAS**, pursuant to Section 17-17 of the Code of the Town of La Plata, the Board
21 of Supervisors of Elections studied the councilmanic wards and recommended a ward boundary
22 redistricting map, as further amended by the Council of the Town of La Plata, as attached hereto
23 as Attachment 1 Town of La Plata Council Ward Map.

24
25 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF**
26 **LA PLATA**, that Article III. Councilmanic Wards, Section 17-19A.(1), (2), (3) and (4) of the
27 Code of the Town of La Plata (1998 Edition and Supplements) be and they are hereby repealed
28 and reenacted, with amendments, to read as follows:

Ordinance 12-21

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CHAPTER 17 – ELECTIONS
ARTICLE III. COUNCILMANIC WARDS

17-19 Description of wards.

A. The town is hereby divided into four (4) wards. The four (4) wards are ((described in paragraphs (1) through (4) of this subsection and)) are graphically shown on a map maintained on file in the office of the Town Clerk, titled “Town of La Plata Council Ward Map”. ((In the event of a conflict between the description of a ward as set forth below and as depicted on the map maintained on file in the office of the Town Clerk, the description set forth below shall prevail. The town's four (4) wards are described as follows:))

(1) Ward No. 1 generally consists of the northwest quadrant of the town. ((and is described as follows:

Beginning at a point where Port Tobacco Road (Maryland Route 6) meets the western boundary of the corporate limits of the Town of La Plata, the ward boundary runs northward along the corporate limits to the west of Walnut Hill Road, Quailwood Subdivision, Jamestowne Subdivision; then crosses West Hawthorne Drive and continues along the corporate limits past the general areas of Pine Street, Chesapeake Street, and inclusive of the 8.774 acres of property located along the southbound lane of Crain Highway subject of the "Wawa Annexation," Heritage Green Parkway, Morris Drive to Washington Avenue; and in the area north of properties along Washington Avenue which are not within the municipal corporate boundaries, is inclusive of the 8.65 acres of property on the west side of Washington Avenue owned by the Maryland State Highway Administration (part of the "Potomac Investment Group, LLC-Maryland State Highway Administration Annexation") and the 74.6032 acres of property subject of the "Rosewick Limited Partnership Annexation" which are bounded on the west by Crain Highway and on the east by Washington Avenue; then resumes southward along the western right-of-way line of Washington Avenue to a point where it intersects with the northern property line of 814 Washington Avenue; then continues along the northern boundary of 814 Washington Avenue to a point where it intersects with the CSX Railroad right-of-way; then continues southward along the CSX Railroad right-of-way to a point where it meets the northern property line of 310 Caroline Drive; then continues around the property line of 310 Caroline Drive so that 310 Caroline Drive is not included in Ward One but in Ward Three, to a point where the boundary line again meets the CSX Railroad right-of-way; then continues in a southerly direction along the CSX Railroad right-of-way to the intersection of the northern right-of-way line for Charles Street; then continues westward along the northern right-of-way line for Charles Street; then westward along the northern right-of-way line for Port Tobacco Road to the western corporate limit of town.))

70 (2) Ward No. 2 generally consists of the northeast quadrant of the town. ((and is described
71 as follows:

72 Beginning at the southeast property line of 923 Laurel Lane the Ward Two boundary runs
73 in a northwest direction of the northeast property line of the park on Caroline Drive owned by
74 the Town of La Plata; then continues westerly along the northern property line of 916 Sycamore
75 Lane, 914 Sycamore Lane, 844 Holly Drive, and 842 Holly Drive to the northern right-of-way of
76 Potomac Street to a point where it intersects with the eastern right-of-line of Dorchester Street;
77 then continues northward along the eastern right-of-way of Dorchester Street to a point where it
78 intersects with the northeastern corner of the enclave owned by the Mitchell family; then
79 continues westerly to the CSX Railroad right-of-way line and continues northerly to the
80 southerly property lines of the Willowgate subdivision; then continues along the southerly
81 boundary of the Willowgate Subdivision to a point where it intersects with Washington Avenue;
82 then continues northward along and including Washington Avenue where it intersects with the
83 northern corporate limits, and is inclusive of the 1.68 acres of property on the east side of
84 Washington Avenue owned by Maryland State Highway Administration and the 12.10 acres of
85 property owned by Potomac Investment Group, LLC subject of the "Potomac Investment Group,
86 LLC-Maryland State Highway Administration Annexation"; then continues along the northern
87 corporate limits; then continues along the northern corporate limits to the corporate limits which
88 envelope the Kings Grant Subdivision; then continues along the corporate limits adjacent to Box
89 Elder Road and continues along the corporate limits at Radio Station Road; then continues along
90 the corporate limits at La Plata Road (Route 488) to a point where it intersects with the southern
91 boundary of the Agricopia Subdivision; then continues in a northwestern direction along the
92 southern boundary of the Agricopia Subdivision to the southwest corner of the Agricopia
93 Subdivision; then continues in a southwesterly direction to the southeast corner of 923 Laurel
94 Lane.))

95 (3) Ward No. 3 generally consists of the southwest quadrant of the town. ((and is described as
96 follows:

97 Beginning at the southeast property line of 923 Laurel Lane, the Ward Three boundary
98 runs in a northwesterly direction to a point where it intersects the northern property line of the
99 Caroline Drive Park owned by the Town of La Plata; then continues westward along the northern
100 property lines of 916 Sycamore Lane, 914 Sycamore Lane, 844 Holly Drive and 842 Holly Drive
101 to a point where it picks up the roadbed of Potomac Street; then continues westward along the
102 roadbed of Potomac Street to a point where it intersects with the roadbed of Dorchester Street;
103 then continues northward along the roadbed of Dorchester Street to the southern property line of
104 the enclave owned by the Mitchell Family; then continues westward to a point where it intersects
105 with the CSX Railroad right-of-way; then continues southward along and includes the CSX
106 Railroad right-of-way to a point where it is adjacent to 310 Caroline Drive; then continues
107 westward, southward and eastward along the property line of 310 Caroline Drive so that Ward
108 Three includes 310 Caroline Drive; then continues Southward along and including the CSX
109 Railroad right-of-way to a point where it intersects with Charles Street; then continues westward

110 along and including the Charles Street right-of-way and then further continues along and
 111 including the Port Tobacco Road right-of-way to the western corporate limits; then continues
 112 southward along the western corporate limits to a point where it intersects with Stagecoach
 113 Road; then continues eastward along the corporate limits; then northerly along the same
 114 corporate limits to a point where it meets the Crain Highway property line of 6695 Glen Albin
 115 Road; then continues eastward along the southerly corporate limits to a point where it intersects
 116 the CSX Railroad right-of-way; then continues eastward to include Lots 1 through 31 of Martin's
 117 Crossing, which is the portion of the parcel subject of the "McPhee Annexation" which is south
 118 of Glen Albin Road; then continues northward and includes the CSX Railroad right-of-way to a
 119 point where it intersects with Charles Street; then continues eastward along and includes the
 120 Charles Street right-of-way to a point where it intersects with Willow Lane; then continues
 121 northward to a point where it ends at the southeast property line of 923 Laurel Lane.))

122 (4) Ward No. 4 generally consists of the southeast quadrant of the town. ((and is described as
 123 follows:

124 Beginning at a point at the southeast corner of 1010 Charles street, the Ward Four
 125 boundary line runs to the southwesterly corner of the Agricopia Subdivision; then continues
 126 along the southern boundary of the Agricopia Subdivision to a point where it intersects with La
 127 Plata Road (Route 488); then continues along the corporate limits at La Plata Road then along
 128 the corporate limits at Charles Street and along the corporate limits at the Clarks Run Stream;
 129 then along the corporate limits which envelopes the Clarks Run Subdivision, inclusive of the
 130 31.5 acres of property located along the southern right-of-way line of Charles street and
 131 contiguous to Clarks Run Subdivision subject of the "Grasso Annexation"; then along the
 132 corporate limits where it intersects with the CSX Railroad right-of-way and includes lots 32
 133 through 61 of Martin's Crossing, which is the portion of the parcel subject of the "McPhee
 134 Annexation" which is north of Glen Albin Road. The Ward Four boundary then continues
 135 northward along the CSX railroad right-of-way to a point where it intersects the southern right-
 136 of-way line of Charles Street, then continues eastward to a point where it intersects with the
 137 westerly boundary of Ward Three at Willow Lane; then continues along the Ward Three
 138 boundary to the southeast corner of 1010 Charles Street.))

139
 140 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
 141 **TOWN OF LA PLATA,** That this ordinance shall become effective at the expiration of fifteen
 142 (15) calendar days after its approval by the Council.
 143

ADOPTED this _____ day of _____, 2012.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Danielle Mandley, CMC
Town Clerk

Joseph W. Norris, Councilman

Date: _____

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

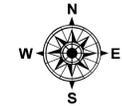
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

Town of La Plata

305 Queen Anne Street
Post Office Box 2268
La Plata, Maryland 20646

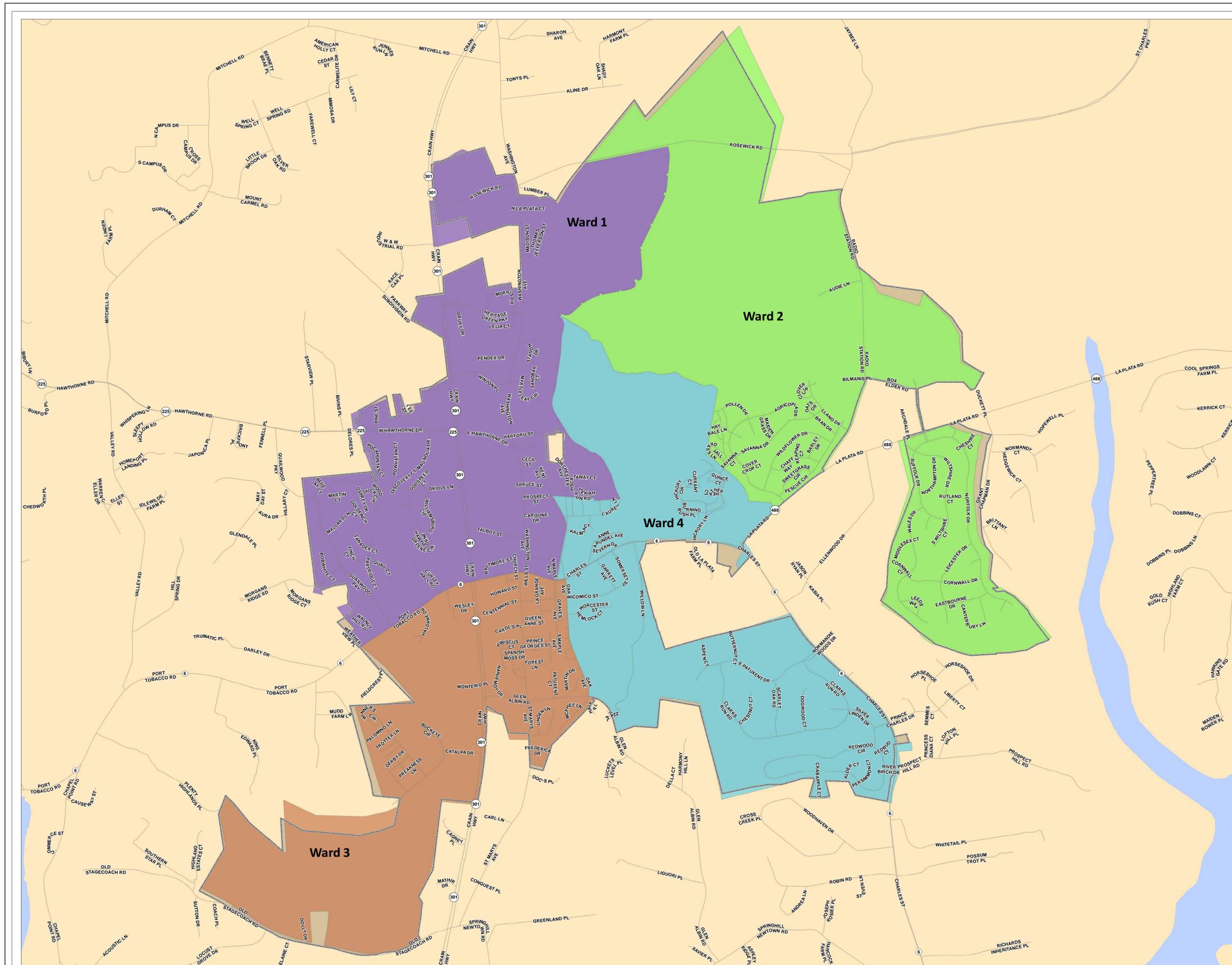
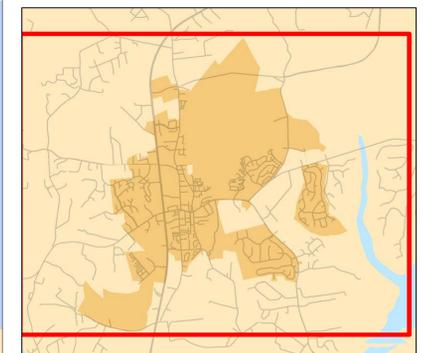


0 1,750 3,500 Feet

Date Printed: November 27, 2012

NOTES:

COUNCIL WARDS MAP
La Plata, Maryland
(per Ordinance 12-21, effective
_____, 2013)



**COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 12-21a**

Introduced By:	Mayor Roy G. Hale
Date Introduced:	November 27, 2012
Town Council Public Hearing:	N/A
Amendments Adopted:	N/A
Date Adopted:	[scheduled for December 18, 2012]
Date Effective:	[if adopted December 18, 2012, effective January 3, 2013]

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123 follows:

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138 boundary to the southeast corner of 1010 Charles Street.))

139

140 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
141 **TOWN OF LA PLATA**, That this ordinance shall become effective at the expiration of fifteen
142 (15) calendar days after its approval by the Council.

143

ADOPTED this _____ day of _____, 2012.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Danielle Mandley, CMC
Town Clerk

Joseph W. Norris, Councilman

Date: _____

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW

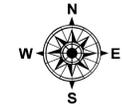
((Double Parenthesis)) indicate matter deleted from existing law.

Underlining indicates amendments to bill.

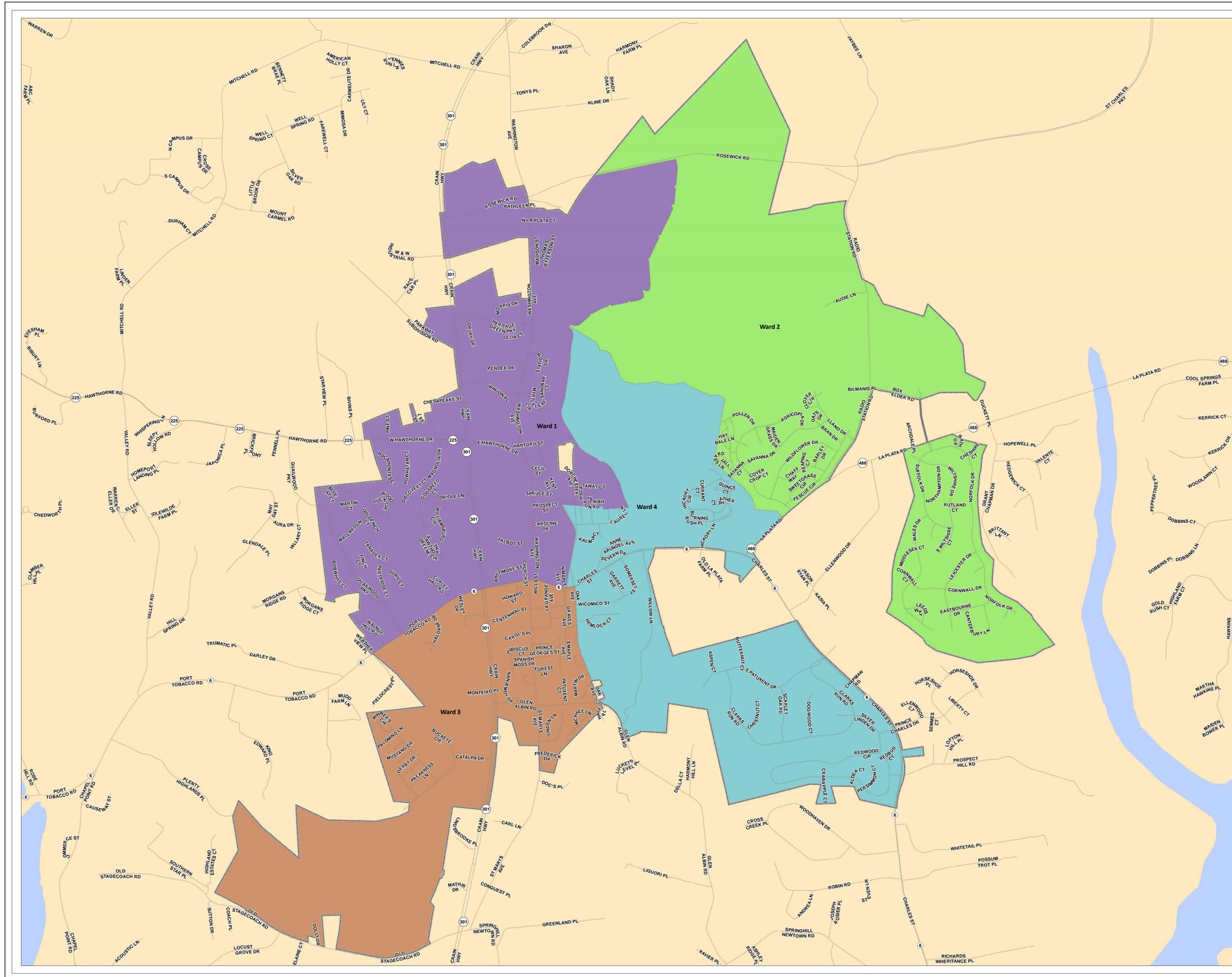
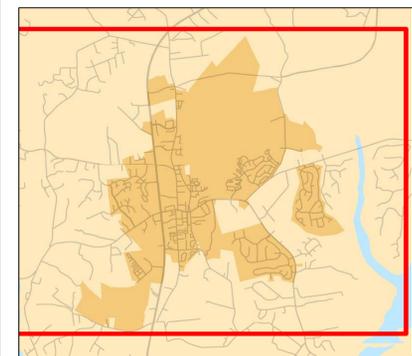
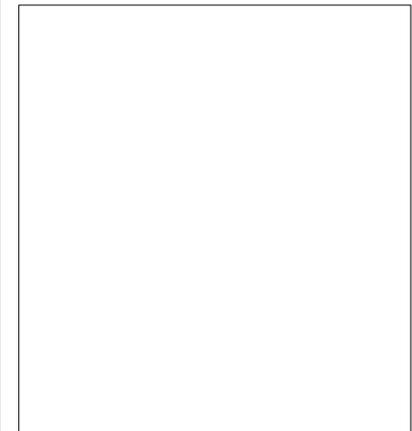
~~Strike-Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

Town of La Plata

305 Queen Anne Street
Post Office Box 2268
La Plata, Maryland 20646



0 1,800 3,600 Feet



COUNCIL OF THE TOWN OF LA PLATA
Resolution No. 12-5

Introduced by: Mayor Roy G. Hale
Date Introduced: October 23, 2012
Planning Commission Public Hearing: [not required]
Town Council Public Hearing: December 11, 2012
Amendments Adopted:
Date Adopted: [Scheduled for December 18, 2012]
Date Effective: [if adopted December 18, 2012, effective February 2, 2013 (45 days)]

1 A RESOLUTION concerning

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Second Amendment of Davis Corporation Annexation Agreement

5 **FOR** the purpose of approving and authorizing a second amendment of a certain Annexation
6 Agreement, as amended, originally entered into between the Town of La Plata, Davis
7 Corporation and others; altering certain requirements relating to the provision of a golf
8 course and recreational amenities on certain portions of the property subject to the
9 Annexation Agreement; and all matters generally relating to the amendment of the
10 existing Davis Corporation Annexation Agreement.

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14 **EXPLANATORY STATEMENT:** In conjunction with the annexation of certain land
15 into the Town of La Plata, the Town, and the Davis Corporation, Bruce E. Davis and others
16 entered into an Annexation Agreement and Amendment to Annexation Agreement. The
17 Annexation Agreement, was dated March 20, 1990, and was recorded on June 18, 1990, among
18 the Land Records of Charles County, Maryland in Liber 1475, page 136. The Amendment to
19 Annexation Agreement was dated October 14, 1997, and was recorded on March 19, 1998,
20 among the Land Records of Charles County, Maryland, in Liber 2529, page 193. The
21 Annexation Agreement was approved by the Council of the Town of La Plata pursuant to
22 Resolution No. 89-11 approved by the Town Council on March 20, 1990. The Amendment to
23 Annexation Agreement was approved by the Council of the Town of La Plata pursuant to
24 Resolution No. 97-2 approved by the Town Council on October 14, 1997. The Annexation
25 Agreement and the Amendment to Annexation Agreement collectively hereinafter are referred to
26 as the "Annexation Agreement". Heritage Green Development, LLC, successor in title to
27 805.691 acres of land, being all of the acreage subject to the Second Amendment to Annexation
28 Agreement, desires to amend certain provisions of the Annexation Agreement and the Town

29 Council desires to authorize and approve such amendment. Now, therefore,

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SECTION I: BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA, that it hereby approves the Second Amendment to Annexation Agreement attached to and incorporated into this Resolution, and authorizes the execution thereof on behalf of the Town.

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SECTION II: BE IT FURTHER RESOLVED that the Second Amendment to Annexation Agreement as provided for by this Resolution shall be and become effective on the forty-fifth day following the date of its passage. A complete and exact copy of this Resolution shall be posted in the Town Hall for a period of thirty days from the date of its passage.

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SECTION III: BE IT FURTHER RESOLVED that as soon as the Second Amendment to Annexation Agreement shall become effective either as herein provided, the Chief Executive Officer of the Town of La Plata shall cause to be sent, separately by mail, bearing a postmark from the United States Postal Service, to the Department of Legislative Services of Maryland, and to the Clerk of the Circuit Court of Charles County, Maryland, the following information concerning the Resolution:

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A. The complete text of this Resolution as hereby enacted, including the number of votes cast for and against the Resolution by the members of the Town Council.

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B. The effective date of the amendment to the Annexation Agreement.

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C. A statement that there is no change to the boundaries of the Town of La Plata as a result of the enactment of this Resolution.

SECTION IV: BE IT FURTHER RESOLVED that the Chief Executive Officer of the Town of La Plata, as evidence of compliance, shall cause to be filed among the permanent records of the Town a certification from the Town Clerk that the requirements of Sections II and III of this Resolution have been satisfied.

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ADOPTED this _____ day of _____, 201____.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Danielle Mandley, CMC, Town Clerk
Date: _____

Joseph W. Norris, Councilman

**COUNCIL OF THE TOWN OF LA PLATA
Resolution 12-8**

Introduced By:	Councilman C. Keith Back
Date Introduced:	[scheduled for December 18, 2012]
Date Adopted:	[scheduled for December 18, 2012]
Date Effective:	Immediately following adoption

1 A RESOLUTION concerning

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Tier Maps

FOR the purpose of implementing the Sustainable Growth and Agricultural Preservation Act of 2012 (the Act), by adopting a Tier Map, as required by Senate Bill 236.

* * * * *

WHEREAS, the La Plata Planning Commission (Commission) reviewed the draft maps on August 6, 2012 and November 7, 2012; and

WHEREAS, the Commission, after reviewing the Tier Map and determining that the Tier I area aligns with the existing Town boundaries and that the Tier II aligns with the Town's Municipal Growth Area, consistent with the Town Comprehensive Plan, as adopted September 22, 2009, effective October 14, 2009, as outlined on the attached map, adopted a motion recommending adoption of the Tier Map to the Council of the Town of La Plata; and

WHEREAS, the Council of the Town of La Plata reviewed the Commission recommendation on December 11, 2012; and

WHEREAS, the Council of the Town of La Plata desires to conform to the provisions of the Sustainable Growth and Agricultural Preservation Act of 2012;

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE TOWN OF LA PLATA hereby adopts the Tier Maps, hereby attached as attachment 1.

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BE IT FURTHER RESOLVED THAT, copies of this Resolution are sent to the Maryland Department of Planning.

ADOPTED AND APPROVED by the Council of the Town of La Plata on _____, 2012.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

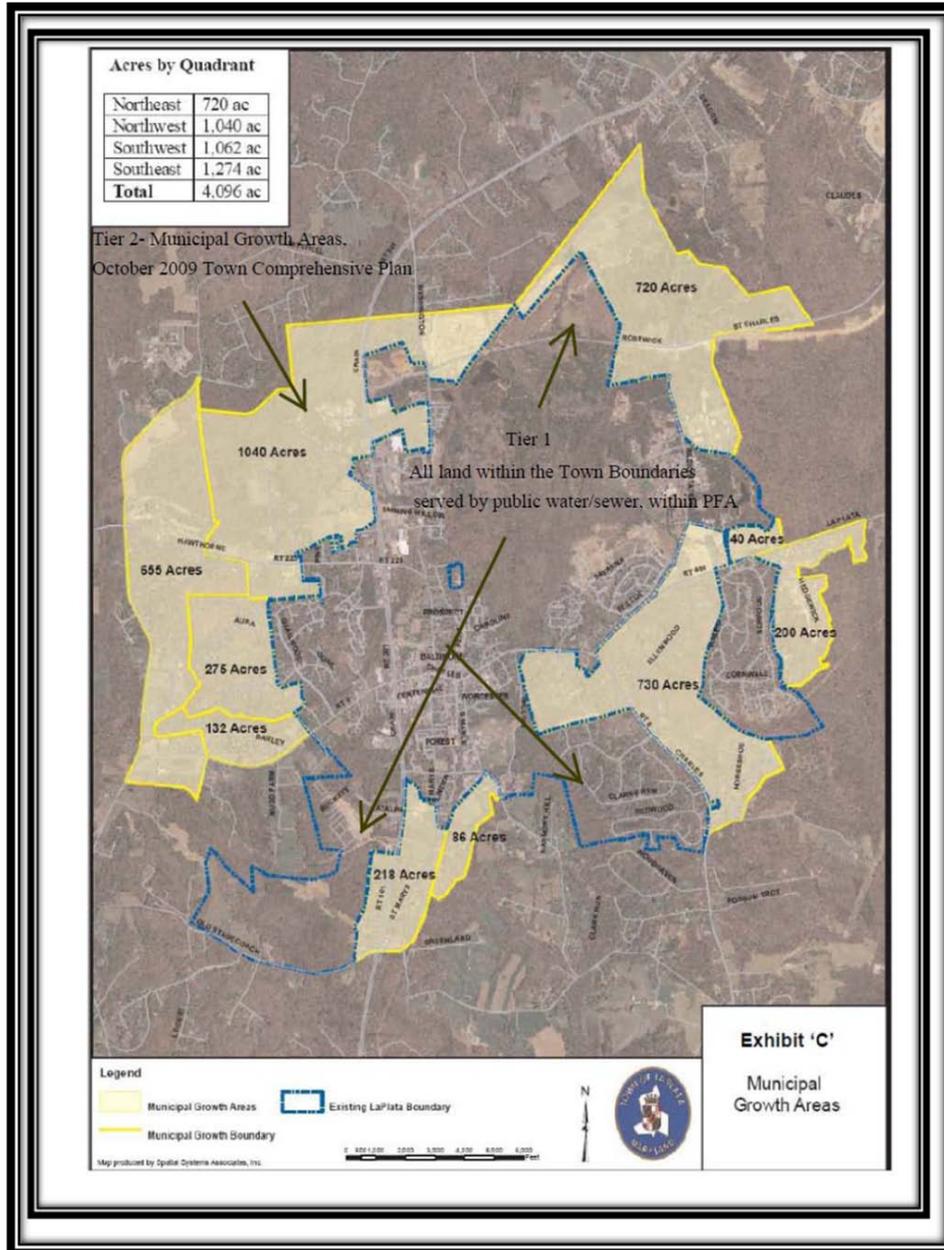
ATTEST:

Paretta D. Mudd, Councilwoman

Danielle Mandley, CMC, Town Clerk
Date: _____

Joseph W. Norris, Councilman

Map 1 Proposed Tiers



COUNCIL OF THE TOWN OF LA PLATA
Ordinance No. 12-22

Introduced By:	Mayor Roy G. Hale
Date Introduced:	December 11, 2012
Town Council Public Hearing:	N/A
Amendments Adopted:	N/A
Date Adopted:	[Scheduled for December 18, 2012]
Date Effective:	[If adopted December 18, 2012, effective January 3, 2013]

1 **An Ordinance** concerning

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3 **Amendment to Town of La Plata FY2012-2013 Financial Plan/Budget**

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5 **FOR** the purpose of amending the Town of La Plata FY2012-2013 Financial Plan/Budget; and
6 all matters generally relating thereto.

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8 **WHEREAS**, it is the intention of the Council of the Town of La Plata, by this ordinance
9 to accept, appropriate and authorize the expenditure of the grant funds provided by the Maryland
10 State Highway Administration Motor Carrier Safety Assistance Program; and

11
12 **WHEREAS**, it is the intention of the Council of the Town of La Plata, by this ordinance
13 to accept, appropriate and authorize the expenditure of the grant funds provided by the Maryland
14 Motor Vehicle Administration/Maryland Highway Safety Office.

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16 **SECTION 1: BE IT ENACTED BY THE COUNCIL OF THE TOWN OF**
17 **LA PLATA** that the Town of La Plata FY2012-2013 Financial Plan/Budget be amended as
18 attached hereto as Attachment 1.

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20 **SECTION 2: AND BE IT FURTHER ENACTED BY THE COUNCIL OF THE**
21 **TOWN OF LA PLATA**, that this ordinance shall become effective at the expiration of fifteen
22 (15) calendar days after its approval by the Council.
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Ordinance 12-22

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ADOPTED this _____ day of _____, 2012.

SEAL:

COUNCIL OF THE TOWN OF LA PLATA

Roy G. Hale, Mayor

R. Wayne Winkler, Councilman

C. Keith Back, Councilman

ATTEST:

Paretta D. Mudd, Councilwoman

Danielle Mandley, CMC
Town Clerk
Date: _____

Joseph W. Norris, Councilman

EXPLANATION:

CAPITALS INDICATE MATTER ADDED TO EXISTING LAW
((Double Parenthesis)) indicate matter deleted from existing law.
Underlining indicates amendments to bill.
~~Strike Out~~ indicates matter stricken from bill by amendment or deleted from the law by amendment.

Town of La Plata
 FY13 Budget Adjustment
 MSHA MVA/MHSO Grant Appropriations

		DR	CR
Maryland State Highway Administration Motor Carrier Safety Assistance Program Grant			
21-200-230-5103	Overtime salary-CMVI	9,289.36	
21-200-230-5260	FICA/Medicare-CMVI	710.64	
21-000-000-4300	Revenue-State Direct		10,000.00

To appropriate the Maryland State Highway Administration Motor Carrier Safety Assistance Program Grant into the Town's FY13 budget. The grant is to be used to conduct safety inspections of commercial vehicles.

Motor Vehicle Administration/Maryland Highway Safety Office Grants

21-200-231-5103	Overtime salary-DWI Chkpt	2,322.34	
21-200-231-5260	FICA/Medicare-DWI Chkpt	177.66	
21-200-232-5103	Overtime salary-DWI Saturation Patrol	3,344.17	
21-200-232-5260	FICA/Medicare-DWI Saturation Patrol	255.83	
21-200-233-5103	Overtime salary-Smooth Operator/Aggressive Driving	2,322.34	
21-200-233-5260	FICA/Medicare-Smooth Operator/Aggressive Driving	177.66	
21-200-234-5103	Overtime salary-Comprehensive Enforcement	4,180.21	
21-200-234-5260	FICA/Medicare-Comprehensive Enforcement	319.79	
21-200-234-5103	Overtime salary-Training	928.94	
21-200-234-5260	FICA/Medicare-Training	71.06	
21-000-000-4220	Revenue-Federal Thru State		14,100.00

To appropriate the Maryland Motor Vehicle Administration/Maryland Highway Safety Office Grants into the Town's FY13 budget. The grant is to be used to cover the cost of enhanced highway safety patrol activities.