

Approved 9/25/12

Council of the Town of La Plata
La Plata Town Hall
Tuesday, August 28, 2012, 7:00 p.m.
Business Meeting

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, CMC, Town Clerk

Town Staff: Robert W. Oliphant, Treasurer

Guests: See Roster

Pursuant to the requirement of Annotated Code of Maryland State Government Article Section 10-509(c)(2), these statements are included in these minutes:

A closed session of the Council of the Town of La Plata was held at 8:20 p.m., Tuesday, August 14, 2012, in the La Plata Town Hall.

Present: Mayor Roy G. Hale, Councilman R. Wayne Winkler, Councilman C. Keith Back; Councilman Joseph W. Norris; Daniel J. Mears, Danielle Mandley.

On a motion made by Councilman Norris, seconded by Councilman Winkler. Roll call vote on the motion: Mayor Hale, Councilman Winkler, Councilman Back and Councilman Norris voted aye and by unanimous vote, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(3) Consider the acquisition of real property for a public purpose and matters directly related thereto. Action: Council Consensus: Following discussion the Council agreed to schedule another closed session following the August 21 work session. The meeting was adjourned at 9:23 p.m.

A closed session of the Council of the Town of La Plata was held at 8:01 p.m., Tuesday, August 21, 2012, in the La Plata Town Hall.

Present: Mayor Roy G. Hale, Councilman R. Wayne Winkler, Councilman Joseph W. Norris; Daniel J. Mears, Danielle Mandley.

On a motion made by Councilman Norris, seconded by Councilman Winkler. Roll call vote on the motion: Mayor Hale, Councilman Winkler, Councilwoman Mudd and Councilman Norris voted aye and by unanimous vote, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(3) Consider the acquisition of real property for a public purpose and matters directly related thereto. Action: No action taken. The meeting was adjourned at 8:40 p.m.

A closed session of the Council of the Town of La Plata was held at 7:32 p.m., Tuesday, August 28, 2012, in the La Plata Town Hall.

Present: Mayor Roy G. Hale, Councilman R. Wayne Winkler, Councilman C. Keith Back; Councilman Joseph W. Norris; Daniel J. Mears, Danielle Mandley.

On a motion made by Councilman Winkler, seconded by Councilman Norris. Roll call vote on the motion: Mayor Hale, Councilman Winkler, Councilman Back, Councilwoman Mudd and Councilman Norris voted aye and by unanimous vote, the session was closed. The authority under which the session was closed was Annotated Code of Maryland State Government Article Section 10-508(a)(3) Consider the acquisition of real property for a public purpose and matters directly related thereto. Action: Council Consensus: Following discussion, it was agreed that the property owner will provide an updated appraisal and a motion to contribute funds to gather more information. The meeting was adjourned at 8:23 p.m.

Minutes:

Mayor Hale called the meeting to order at 7:00 PM, and then led the Pledge of Allegiance.

Treasurers Report

Mayor Hale acknowledge receipt of the May Treasurers Report.

Approval of July Minutes

Councilman Winkler moved to approve the minutes of the July 10 work session, July 17 work session and July 24 business meeting. Councilman Norris seconded the motion and it passed unanimously.

Petitions, Communications, Appearances and Public Forum

1. Public Forum

Michael J. Runfola, 113 Morris Drive, Town Resident, spoke regarding comments, the Mayors reading of a letter of response and questions he had during the public forum portion of the July 24 meeting and requested a response from all of the Council members on the topic of surveying citizens on major decisions before the Council. Additionally Mr. Runfola expressed the desire for the residents to be informed on the actual amount of legal fees the Town will pay in the Johel proceedings.

2. La Plata Police Department (LPPD) monthly report – Chief Gittings [*No report*]

3. La Plata Volunteer Fire Department monthly report [*No report*]

► Legislation

Emergency Ordinance No. 12-17 Amendment to Town of La Plata FY2011-2012 Financial Plan/Budget (for introduction and consideration of adoption) – For the purpose

amending the Town of La Plata FY2011-2012 Financial Plan/Budget; and all matters generally relating thereto.

Mr. Mears briefly discussed the changes under consideration in Ordinance No. 12-17, which are due to the closing of the fiscal year.

Councilman Back moved to suspend the provisions of Town Charter § C6-4 Ordinances, to adopt Ordinance No. 12-17 as an emergency ordinance. Councilman Winkler seconded the motion and it passed by unanimous vote.

Councilman Norris moved to adopt Emergency Ordinance No. 12-17. Councilman Winkler seconded the motion and it passed unanimously.

► Unfinished Business

Councilman Winkler briefly responded to Mr. Runfola regarding questions posed during the public forum, and provided his reasoning for voting for the Johel Annexation.

► New Business

1. Motion for a Closed Session

Councilman Winkler moved to conduct a closed session, pursuant to Annotated Code of Maryland Section §10-508(a)(3) Consider the acquisition of real property for a public purpose and matters directly related thereto. Councilman Norris seconded the motion. Roll call vote on the motion: Councilman Winkler, Councilman Back, Councilwoman Mudd, Councilman Norris and Mayor Hale voted aye and the motion carried.

2. Commission Reports

Councilman Winkler reported that the Parks and Recreation Commission did not have a meeting in August.

Councilman Back reported on the Planning Commission's review of the Charles Street Overlook project, the review of the implementation process for the septic bill, the annual report to the Maryland Department of Planning, and the Commissions intent to begin review of the Public Lands section of Town Code.

Councilwoman Mudd reported that the Beautification Commission will meet on September 10 after a summer recess, and questioned the status of the damaged South bound Route 301 sign.

Councilman Norris reported that the Design Review Board did not meet in August and that the next scheduled meeting will be September 5.

3. Upcoming Events – Mayor Hale

- Summer Concert
Friday August 31st: 7PM to 9PM
Cover Story
- Summer Concert
Friday September 7th: 7PM to 9PM
Eric Scott Band
- Chili Cook Off
Saturday September 8th: 12 noon to 3PM
- Summer Concert
Friday September 14th: 7PM to 9PM
Anthony “Swamp Dog” Clark
- Summer Concert
Friday September 21st: 7PM to 9PM
Lionel Ward & the New World Band
- Summer Concert
Friday September 28th: 7PM to 9PM
John Luskey Band

There being no other business to discuss, Councilman Winkler moved to adjourn the business meeting, and convene in the scheduled closed session. Councilman Norris seconded the motion and it passed by unanimous consent.

Submitted by:


Danielle Mandley, CMC, Town Clerk

Council of the Town of La Plata
Certification for Conducting Closed Sessions in Accordance
with the Maryland Open Meetings Act (State Government Article, §10-508)
This Certification Must Be Completed Before a Closed Session May Be Held

I HEREBY CERTIFY that I, the undersigned, am the presiding officer of a meeting of the Council of the Town of La Plata on August 21, 2012.

At this meeting a motion was made by Councilman Norris and seconded by Councilman Winkler to conduct a closed session of the Council of the Town of La Plata on August 21, 2012.

Vote to close session:

	AYE	NAY	ABSTAIN	ABSENT
Mayor Roy G. Hale	[✓]	[]	[]	[]
Councilman R. Wayne Winkler	[✓]	[]	[]	[]
Councilman C. Keith Back	[✓]	[]	[]	[]
Councilwoman Paretta D. Mudd	[✓]	[]	[]	[]
Councilman Joseph W. Norris	[✓]	[]	[]	[]

(Note: If any member of the public rejects to conducting the closed session, a copy of this certification must be sent to the Maryland Open Meetings Law Compliance Board.)

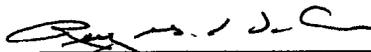
STATUTORY AUTHORITY TO CLOSE SESSION
State Government Article §10-508(a):

- ___ (1) Discuss:
- ___ (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
- ___ (ii) any other personnel matter that affects one (1) or more specific individuals.
- ___ (2) Protect the privacy or reputation of individuals with respect to a matter that is not related to public business.
- x (3) Consider the acquisition of real property for a public purpose and matters directly related thereto.
- ___ (4) Consider a matter that concerns the proposal for a business or industrial organization to locate, expand or remain in the State.
- ___ (5) Consider the investment of public funds.
- ___ (6) Consider the marketing of public securities.
- ___ (7) Consult with counsel to obtain legal advice.

- ___ (8) Consult with staff, consultants, or other individuals about pending or potential litigation.
- ___ (9) Conduct collective bargaining negotiations or consider matters that relate to the negotiations.
- ___ (10) Discuss public security, if the Council of the Town of La Plata determines that public discussion would constitute a risk to the public or to public security, including:
 - ___ (i) the deployment of fire and police services and staff; and
 - ___ (ii) the development and implementation of emergency plans.
- ___ (11) Prepare, administer, or grade a scholastic, licensing, or qualifying examination.
- ___ (12) Conduct or discuss an investigative proceeding on actual or possible criminal conduct.
- ___ (13) Comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or a particular matter.
- ___ (14) Before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

The topics to be discussed during the closed session are as follows:

- 1. Acquisition of property for Municipal Facilities.



Roy G. Hale

Mayor

Title

Council of the Town of La Plata
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Councilman R. Wayne Winkler	[✓]	[]	[]	[]
Councilman C. Keith Back	[✓]	[]	[]	[]
Councilwoman Paretta D. Mudd	[✓]	[]	[]	[]
Councilman Joseph W. Norris	[✓]	[]	[]	[]

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 Roy G. Hale

 Mayor _____
 Title