

The Commissioners of St. Michaels

Special Working Session

July 28, 2010

Present

Commissioners Michael Brady, Joanne Clark, T. Coleman duPont, Donna Hunt and Michael Vlahovich, Town Manager Cheril Thomas, Codes Enforcement Officer Deborah Renshaw, Administrative Clerk Sabrenia Yohn, and approximately seven members of the public.

4:00 p.m. to 5:30 p.m. - Special Working Session

Call to Order

President Brady called to order the public working session of the Commissioners of St. Michaels at 4:00 p.m. in the meeting room of the St. Michaels Public Library, 106 Fremont Street, St. Michaels, Maryland. The Pledge of Allegiance was recited.

Announcement of Prior Closed Sessions

President Brady announced that on July 22, 2010 at 4:00 p.m. and on July 26, 2010 at 4:00 p.m. pursuant to Maryland Code, § 10-508 (a) (3) and (7), the Commissioners met in closed session to consider the acquisition of real property for a public purpose and legal matters directly related thereto. President Brady also announced that at the regularly scheduled meeting at 6:30 p.m., the Commissioners will be making a statement regarding these closed sessions.

Discussion regarding Stormwater Management Amendments

President Brady opened the discussion on stormwater management amendments to Chapter 281 of the Town Code. President Brady said that during this meeting, the Commissioners needed to discuss the language currently in the Code that names the Commissioners as the enforcement authority for all major stormwater management plans. He said the Commissioners should consider whether they want to keep the language in Chapter 281, Article I, §281-1, D as is and if so, then the Commissioners must decide whether or not to hold public hearings at the preliminary or final stage of the approval process or at all three junctures where reviews will be required by the updated stormwater management regulations. In addition, President Brady said that the Commissioners may also want to consider approaching Talbot County to take over the review and approval for the Town of stormwater management applications as the defined enforcement authority with their costs to be paid by the applicants. President Brady then said that a third option for the Commissioners was to consider naming an engineer employed by the Town as the stormwater management enforcement authority.

President Brady then opened the discussion to the Commissioners. Commissioner Vlahovich asked if Talbot County was willing assume the role as the Town's enforcement authority as there is a general feeling that they would raise the bar somewhat with regard to stormwater management, and, if so, then he was in favor of directing staff to draft a letter to the County. Commissioner Hunt agreed, noting that for any large development the County would have greater expertise. Commissioners Clark and duPont said they also favored contacting the County to take over the review of stormwater management projects because they have the staff with the necessary expertise. Commissioner duPont also suggested that a Commissioner could sit in on the proceedings with the County. Without objection from the Commissioners, President Brady recognized Roy Myers of E. Chestnut Street, who asked if the County would take over the Miles Point project and expressed his concern that the Town should have some approval powers or be able to make recommendations. President Brady said this raised another question for the

Commissioners and asked for a consensus on whether they wanted all projects turned over to the County or just major or larger ones. Responding to a question regarding what other towns do, President Brady said that through his association with the Maryland Municipal League, he was aware of several municipalities who have yielded stormwater management to their counties and found it to be generally beneficial. After some additional discussion, President Brady directed staff to draft a letter to Talbot County asking if the County wished to participate in the review of stormwater projects on behalf of the Town, but not requesting approval of projects by them. The Commissioners agreed that the letter should also request a joint meeting to discuss the matter.

Comments from the Public:

Laurence Pratt of Mulberry Street proposed that the grandfather provision be removed from the proposed Ordinance amendments as the Miles Point project is not eligible for a waiver for storm water management.

Roy Myers of E. Chestnut Street suggested that language should be added that the Town has the right to have an independent engineer do the testing for proper stormwater management.

John Wolfe of Perry Cabin Drive commented on the performance bond section of Talbot County's Stormwater Management Ordinance and that of the Town's ordinance.

In response to a question from Mr. Pratt, President Brady responded that the Commissioners had not as of this date received a storm water management plan from Miles Point.

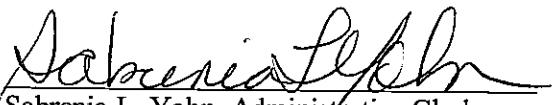
Comments from the Commissioners:

Commissioner Hunt made a motion to move into closed session to discuss legal advice received from the Town Attorney regarding the Referendum Petition on Ordinance 415. Commissioner Clark seconded the motion which passed on a roll call vote of 5-0 in favor.

Adjournment:

President Brady adjourned into closed session at 5:00 p.m.

Respectfully submitted,


Sabrenia L. Yohn, Administrative Clerk