

September 8, 2010

5:00 p.m. - Public Working Session

Present:

Commissioners Michael Brady, Joanne Clark, T. Coleman duPont, Donna Hunt and Michael Vlahovich, Town Manager Cheril Thomas, Project Manager Jean Weisman, Administrative Clerk Sabrenia Yohn, Town Attorney Charles MacLeod, and approximately 25 members of the public.

Call to Order:

President Brady called to order the special public working session of the Commissioners of St. Michaels at 5:13 p.m. in the meeting room of the Edgar M. Bosley, Jr. Municipal Building, (Town Office), 300 Mill Street, St. Michaels, Maryland. The Pledge of Allegiance was recited.

Announcement of Prior Closed Session:

President Brady announced that on September 8, 2010 at 3:30 p.m., pursuant to Maryland Code, §10-508 (a) (1) (i), (3) and (7) the Commissioners met in closed session to discuss personnel matters related to a specific employee or appointee and legal matters associated with the Purchase Option Agreement for the property owned by Miles Point Property, LLC.

Presentation on the Heritage Area Grant Funding Program:

President Brady called on Pete Leshner, representing the Chesapeake Bay Maritime Museum, and Jeff Fones, representing the St. Michaels Museum at St. Mary's Square. Mr. Leshner provided a handout to the Commissioners and gave an overview of the program, noting that any non-profit or municipality is eligible to be a member by amending their Comprehensive Plans to adopt the Heritage Area tourism management plan. Mr. Leshner said he was asking the Commissioners to refer the matter to the Planning Commission for the necessary amendment to the Town's Comprehensive Plan. Mr. Fones then gave an overview of the funding benefits to the St. Michaels Museum. Mr. Leshner and Mr. Fones also addressed the issue of oversight by the Heritage program, noting that the Town could adopt a plan that maintained control for the Town. In response to a question from Commissioner Hunt, Mr. Leshner said the larger grants are generally one-for-one matching grants, and the smaller grants are outright funding. President Brady asked if there was consensus among the Commissioners to refer the Heritage Area program to the Planning Commission for review and recommendation. The Commissioners agreed. President Brady directed staff accordingly.

Presentation of the ShoreScan System:

President Brady recognized Ken Carlson, owner of ShoreScan which is an internet based electronic document storage system. Mr. Carlson gave an overview of the system and how the Town could benefit in preserving its documentation. Commissioner Vlahovich and President Brady asked staff to prepare a cost estimate of savings and a work plan for staff if the Town should pursue acquisition of the product.

Consent Agenda

President Brady said that a vote to approve all items on the consent agenda would include approval of reports for the month of August, 2010. President Brady said expenditures for the month of August were in the amount \$224,872.15 of which \$5,124.50 was expended for capital

projects and engineering and \$546.00 was reimbursable legal costs. There being no comments from the Commissioners or the public, President Brady called for a motion to approve the items on the consent agenda. Commissioner Hunt made the motion as stated by President Brady. Commissioner duPont seconded the motion which passed on a roll call vote of 5-0 in favor.

Items Eligible for Vote:

- **Nominations for Appraisal Review Services related to the Purchase Option Agreement for the Property Owned by Miles Point Property, LLC**

President Brady called upon Town Attorney MacLeod to provide an overview of the process for the appraisal review for the potential purchase of the Miles Point property. Attorney MacLeod said that the Town and the property owners (the sellers) would be obtaining independent appraisals on the property and that a third party review appraiser would be chosen from a list provided by Eastern Shore Land Conservancy (ESLC). The Town and the sellers would agree upon the review appraiser, the cost of which would be split between the Town and the property owners. After some additional discussion, Commissioner Hunt made a motion to choose Gary T. Westholm of Westholm & Associates LLC of Annapolis, Maryland to perform the appraisal review services. Commissioner duPont seconded the motion which passed on a roll call vote of 5-0 in favor.

Discussion Items:

- **Phase IV of the Street Reconstruction Project - Cherry Street & Mulberry Street**

Mrs. Thomas gave an overview of the Commissioners' decisions with respect to Cherry Street and Mulberry Street during their discussions on July 14, 2010, August 11, 2010, and matters discussed during their August 25, 2010 meeting. Mrs. Thomas said that at tonight's meeting, the Commissioners need to decide who is going to pay the cost of the mandatory brick sidewalks on Cherry Street and make several decisions regarding buried utilities. On Mulberry Street, the Commissioners need to make a number of decisions about buried utilities.

After some discussion, the Commissioners agreed to split the cost of the brick sidewalks on Cherry Street between the Town and the adjoining property owners, as was done previously with the W. Chestnut Street brick sidewalk project. Commissioner Clark made a motion that the sidewalks on Cherry Street that need to be replaced be replaced with all brick, at shared cost with the property owners with financing over three years with no interest. Commissioner Vlahovich seconded the motion which passed on a roll call vote of 5-0 in favor.

The Commissioners then discussed burying conduit, utilities, the positioning of utility boxes, and obtaining easements for properties on Cherry Street. After a discussion of some length, Commissioner Brady made a motion that the Town would pay for the installation of empty conduit down the middle of Cherry Street, including laterals to pedestals and to the property lines; and to negotiate and obtain easements from the necessary property owners by September 22, 2010 with the offer of compensation for the easements not to exceed \$10 per square foot. Commissioner Clark seconded the motion. President Brady confirmed the Town's costs with the Town engineer of \$22,340 for conduit, plus a maximum of \$3,400 for easements, for a total of \$25,740, after which he called for the roll. The motion passed on a roll call vote of 5-0 in favor.

The Commissioners then discussed with Ben Taylor, of Davis, Bowen & Friedel, the costs of burying conduit and possibility utilities on Mulberry Street, noting that no easements were required as the work would be done solely on Town owned property.

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After some additional discussion, Commissioner Clark made a motion to proceed with burying empty conduit down the middle of Mulberry Street and to extend the laterals to the front of sidewalks, the costs of which would be borne by the Town. Commissioner Vlahovich seconded the motion which passed on a roll call vote of 5-0 in favor.

Commissioners' Calendar

The Commissioners discussed calendar items to be changed or added to agendas for meetings in October and November, 2010.

Comments from the Public

Comments were taken by Laurence Pratt of Mulberry Street, Marie Martin of Cherry Street and Mrs. McGowan of Water Street regarding the work to be completed on Cherry Street and Mulberry Street. Comments were also taken by Ann Borders of Cherry Street regarding the ShoreScan presentation.

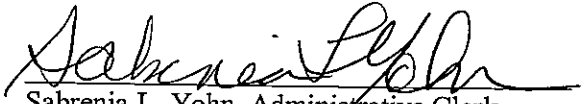
Comments from the Commissioners

There were no additional comments.

Adjournment

President Brady adjourned the meeting at 7:30 p.m.

Respectfully submitted,


Sabrenia L. Yohn, Administrative Clerk

Attachments:

- Departmental Reports for the month of August, 2010