

CLUA, Inc.
November 24th, 2008
7:00 pm, Rising Sun Library

Start: 19:05 Attendance: 13

Treasurer's report

- Still in black
- ~\$1200 in bank account

CLUA annual election in January

- 5 Board seats will be open (one now vacant (Ken Wiggins), others currently occupied by Diana, Vernon, George, and Wendy)
- Need nomination committee — 3 members
 - *Rupert Rossetti, Owen Thorne, Ron Hartman, Tom McWilliams*
 - Motion moved, seconded and carried unanimously
 - Nominations need to be in place by January meeting
- Officers for 2009 are elected by the new Board

Artesian franchise agreements — legal update, results of document review
— Ed, Ron

- Outcome of the Public Information Act request and document review
- Passed on the emails
- Ron, Ed & George reviewed
- Legal status:
 - Now filed two actions against the Artesian Deal, coz. the Commissioners have taken two Actions
 -
 - Transfer of Properties
 - Have now filed to consolidate them
 - Carol Holzer has tried to keep the costs down
 - Carol Holzer believes it is a "cold case" against them ... they cannot sell properties in public use
 - Filed for Summary Judgment
 - Aug 19th Agreement ... In Public Use
 - Oct 22nd Transfer ... no longer needed for Public Use
 - If lose in Circuit Court, then go straight to Annapolis

- Nothing that we have done so far has stopped things moving forwards.
- We're in concurrence with the original Elkton West, which is why this is so frustrating
- In files, there are a series of letters from Tidewater Utilities, objecting to the change in scope without an opportunity to rebid.
 - One of the letters was somewhat threatening, from a legal point of view
 - Carol Holzer advised not to get in the middle
- Asked to see the economic evaluation - which was missing from the documents
 - None is forthcoming
- At our request, Del. Smigiel has asked for an opinion from the Attorney General
 - Are counties still not able to sell facilities "in public use"?
 - What constitutes "in public use"?
 - Can the State legislature approve these sales?

Comments by Commissioner-elect Jim Mullin

- New Board:
 - Brian Lockhart - President
 - Rebecca Demmler - Vice President
- What Jim would like to accomplish ... where he's focusing
 - Roles:
 - Ex officio officer for Wilmapco
 - Member of Upper Shore Regional Council
 - An other
 - Parks & Rec Board alternate
 - Ex officio officer for Wilmapco
 - Train station ... legislators in District 36 (Pipkin, Smigiel) have been left out so far Jim has approached them
 - Looking into Wilmapco financing ... where the money goes
 - How about a retractable platform / wheelchair ramp
 - A lot is political needs to be included in the Comp Plans
 - Local elected officials need to demonstrate that they want the station
- Design Standards ... Retail ... Business Local focus

- Better Models for Development ... 3 of 4 Commissioners very receptive
 - May use Fast track permitting as an incentive
- TDRs ... working with ESLC:
 - setting up a banking provision, with county being the bank
 - Looking at tying TDRs to town annexations
 - Residential component .. looking at tying to Special Taxing Districts
- Parks & Rec
 - Fisheries are now a part of the Comp Plan
 - Looking at improving public access
 - Cayaks, canoes, watermen to load & unload
 - Can use POS funds
 - Looking for new public access points
 - Kent County has 24 access points ... used POS funds
- Planning Commission Meetings with Commissioners Want to continue this practice
 - Want to know what tools they (the Planning Commission) need to plan
- Developer Rights & Responsibilities Act
 - Looking at Contract between Developer & County
- APFOs: Have not looked into this
- COG: Unclear on status
- Commissioner Work Sessions: Will invite the Delegation to attend once per month

The new Comprehensive Plan

- Status / Scenarios / Issues — Rupert, others
 - Neither scenario does what we want
 - Not realistic, does not represent what's on the ground
 - Did not come up with the numbers we wanted ... e.g. new densities
 - The consultant has wasted too much time on CBA
 - Comparing apples to oranges
 - Meaningless numbers
 - We need to do it right ...
 - Came away from the last meeting more optimistic that we're going to do things right

- Looking at the Goals from each of the subcommittees, we're more in agreement than disagreement

What are CLUA's priorities?

- Rural Suburban zoning — Ron
 - Proposed new Zoning District ... "RS"
 - SR lands outside the true Growth Corridor
 - With TDRs & water & sewer would be relatively high density ...
 - Limit to 1 home per acre, even on water & sewer
- **Motion to adopt as a CLUA Statement ... Proposed, seconded, carried unanimously**
- Discussion:
 - Potential PPAs being considered by the Comp Plan Review Committee: Southern, Northern & Elk Neck
 - How do the State PFAs fit with the county Growth Areas
- Sustainable growth by limits on building permits — George
 - Is this a viable idea?
 - People bought land in speculation for development, and will resist this
 - **Recommend speaking to the Planning Commission directly ... Proposed, seconded, carried unanimously.**

Other ideas

- How big should we grow
- Is anyone making the case for preserving the non-irrigated farmland that we have ... largest area of non-irrigated land .. we have the largest area of non-irrigated land in the US.

Do we want to have a December meeting?

- This is the December meeting ... will meeting in January 2009

Meeting adjourned 9:15 p.m.

Next CLUA meeting: January, date and place TBD (Annual election meeting)

Calendar

County offices closed Nov. 27 & 28.

Dec. 1: December CLUA Newsletter deadline ... Please send material to George at gkaplan@zoominternet.net

Dec. 2 and 16: Board of County Commissioners meetings, 7 p.m. (Elk Room, County Administration Building)

Dec. 3, 9, 10, and 17: Comprehensive Plan Citizens' Oversight Committee, 1 p.m. (Perryville Room, County Administration Building)

Dec. 8: Swearing-in ceremony for newly elected officials, 4 p.m. (Elk Room, County Administration Building)