

COUNCIL AND UTILITY COMMISSION MINUTES FOR THE TOWN OF ROCK HALL**TOWN OF ROCK HALL**

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MINUTES - UTILITY COMMISSION MEETING
April 29, 2013

MAYOR AND COUNCIL
UTILITIES BOARD MINUTES
April 29, 2013

The Mayor convened the Mayor and Council Utilities Board meeting on the above date at 7:40 P.M. All Councilmembers were present. The Town Attorney and Captain Dempsey were also present.

APPROVAL OF THE MINUTES:

Councilmember Francis made a motion to approve the minutes of the Mayor and Council Utilities Board Meeting of April 1, 2013 as presented; Councilmember Jones seconded. All in favor, motion carried.

SEWER ALLOCATION REPORT:

The Councilmember Nesspor read the sewer allocation into record.

THE FOLLOWING ITEMS WERE DISCUSSED:

The Mayor read a statement from the town office stating that Mrs. Sarah Schut (Sarah's Folly, LLC) was asking for a sewer credit in the amount of \$331.50 for this past quarter's (1st billing Qtr. of 2013) water/sewer bill. The Mayor then read into record a letter received by Mrs. Sarah stating what caused the overage in the amount of water used and why they were asking for a credit. Councilmember Nesspor made a motion to give Mrs. Sarah the credit she asked for. Councilmember Jones seconded. All in favor, motion carried.

Mr. Gowdy spoke on his behalf in asking for a sewer credit in the amount of \$143.00. He stated that they did find that the tenant had a problem with their toilets, which means that the problem did go through the sewer. They also found that there was a leaky faucet on the outside of the house. To know which is which and how much went through what is impossible to tell. Councilmember Price stated that he worked on both problems, the toilets and the outside leaky faucet, and would have to abstain from this vote. He also stated that you really can't prove how much went

through which system. I can suggest maybe that you give a partial credit and just divide it in half. Mr. Gowdy said that would be acceptable to him. Councilmember Price made a motion to issue a credit for \$72.00. Councilmember Nesspor seconded. All in favor, motion carried.

Mr. Phil Strayer was in attendance to give a presentation in regards to the bid his company (DSI) has submitted to have work done to Pumping Station #4. There were questions asked by the Mayor and Council, and some audience members in regards to Mr. Strayer's proposal and Mr. Strayer answered them accordingly.

Mr. Mike of Tidewater Utilities out of Dover Delaware was in attendance to give a presentation in regards to the bid his company has submitted to have work done to Pumping Station #4. Jim Williams, from Freidmire Associates, assisted in the presentation to the Mayor and Council on behalf of Tidewater Utilities.

There was a suggestion made from Mr. Mike to have Mike Wooton develop a set of spec's that each/all/any company could come in look at the spec's and provide a bid according to the spec's so we can compare apples to apples. The Mayor stated that they would look into having Mike Wooton do that for us and get back to you as soon as possible with the newly designed specs so that we can get comparable bids from each company.

The meeting was opened up for discussion with the audience members. The Mayor and Council answered questions from the audience accordingly.

With there being no further business, Councilmember Francis made a motion to adjourn at 9:15 p.m.; Councilmember Price seconded. All in favor; motion carried.

Approved:

Olin B. Price, Councilmember
Susan A. Francis, Councilmember
Brian Nesspor, Councilmember
Brian Jones, Councilmember

MAYOR AND COUNCIL
WORKSHOP MINUTES
April 29, 2013

The Mayor convened the Mayor and Council Workshop meeting on the above date at 7:00 P.M. All Councilmembers were present. The Town Attorney was also present.

APPROVAL OF THE MINUTES:

Councilmember Price made a motion to approve the minutes of the Mayor and Council Workshop Board Meeting of April 1, 2013 as presented; Councilmember Jones seconded. All in favor, motion carried.

THE FOLLOWING ITEMS WERE DISCUSSED:

The Mayor read the following statement into record:

Summary of the Mayor and Council's April 28, 2013 Closed Session Made Pursuant to Section 10-509 (c)(2) of the State Government Article of the Maryland Annotated Code.

On April 28, 2013, at approximately 2:05 p.m., the Mayor and Council met in open session in the Council Chambers at 5585 Main Street, Rock Hall, Maryland 21661. At approximately 2:15 p.m., a motion was made by Councilmember Francis to meet in closed session pursuant to Section 10-508 (a)(1)(i) of the State Government Article of the Maryland Annotated Code for the purpose of discussing the appointment, employment, assignment, removal, resignation, or performance evaluation of an appointee, employee, or official over whom the Mayor and Council have jurisdiction. The motion was seconded by Councilmember Nesspor. After an opportunity for discussion, Mayor Willis called for a vote on the motion and the vote was unanimously in favor thereof.

The closed session commenced at approximately 2:45 p.m. During the closed session, the Mayor and Council discussed a confidential personnel matter involving a specific Town employee. Present during the closed session were Mayor Willis, Councilmembers Price, Francis, Nesspor, and Jones, and the Town Attorney, Patrick Thomas. Town Manager Ronald H. Fithian was also present for approximately 30 minutes of the closed session.

At the conclusion of the closed session, the Mayor and Council voted unanimously to meet again in closed session at 5:00 p.m. on Tuesday, April 30, 2013 in the Council chambers at 5585 Main Street, Rock Hall, Maryland 21661, to discuss the confidential personnel matter further. The Mayor and Council took no further formal action during the closed session.

The closed session adjourned at approximately 2:20 a.m. on Monday, April 29, 2013.

Councilmember Francis made a motion to amend the summary to state that Councilmember Price opposed the motion to enter into a closed session. Councilmember Nesspor seconded. All in favor, motion carried.

With there being no further business, Councilmember Price made a motion to adjourn at 7:05 p.m.; Councilmember Francis seconded. All in favor; motion carried.

After the meeting was adjourned an audience member spoke up and stated that normally the public is allowed three (3) minutes of time at the end of a meeting to voice an opinion or ask any questions. The Mayor agreed and asked for a motion to reopen the Mayor and Council Workshop Meeting. Councilmember Price made a motion to reopen the Mayor and Council Workshop Meeting. Councilmember Jones seconded. All in favor, motion carried.

Mr. Gren Whitman stated that Councilmember Price's comments preceding the closed session were not mentioned in your statement. Could you remind everyone of what he stated. Councilmember Price restated his statement into record.

There was discussion among the Mayor, Councilmember's, and the audience members in regards to the 12 hour meeting held on April 28, 2013.

Councilmember Price made a motion to vote on the decision of terminating Mr. Ronnie Fithian as Town Manager

tonight. Councilmember Jones seconded. Councilmember Price voted to retain Ronnie Fithian as Town Manager, Councilmember Jones voted to retain Ronnie Fithian as Town Manager, and Councilmember Nesspor voted to retain Ronnie Fithian as Town Manager. Councilmember Francis abstained from voting. With a majority vote in favor of the motion to retain Ronnie Fithian as the Town Manager, the motion was so carried. The Mayor lifted the week leave of absence and asked Ronnie to report to work the next day. Mr. Ronnie asked that the Mayor and Council if they would keep the meeting scheduled for tomorrow night (April 30, 2013) so we can discuss some of the changes you would like to see made around here. The Mayor stated that they would see him tomorrow evening at 5:00 p.m.

With there being no further business, Councilmember Price made a motion to adjourn at 7:40 p.m.; Councilmember Francis seconded. All in favor; motion carried.

Approved:

Olin B. Price, Councilmember

Susan A. Francis, Councilmember

Brian Nesspor, Councilmember

Brian Jones, Councilmember