

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772 • 301-627-6905

Public Hearing

Annexation Phase II & Phase III

November 30, 2021 – 6:03 p.m.

This meeting was conducted via Zoom Video Conference

Call to Order

- Meeting was brought to order at 6:03 p.m.
- **Roll Call:** – President Linda Pennoyer; Commissioner Janice Duckett; Commissioner/Treasurer Sarah Franklin
- **Staff present:** Kyle Snyder/Town Administrator; UMPD Chief Burse; William Morgan/Director of Finance; Superintendent Darnell Bond/Public Works; John Hoatson / Town Clerk
- **Attending:** Angie Rodgers, DCAO Economic Development, County Executive Office, Robert Claggett Sanders, Resident
- Pledge of Allegiance

Business:

Business:

1) Annexation Resolution 01-2021 & Background

Town Clerk John Hoatson read Annexation Resolution 01-2021

AN ANNEXATION RESOLUTION of the Board of Commissioners of the Town of Upper Marlboro (the “Town”) pursuant to § 4-401 *et seq.* of the Local Government Article of the Annotated Code of Maryland for the purpose of annexing certain parcels, lots and rights-of-way of real property located in two (2) distinct and separate annexation areas with each area adjoining and contiguous to the Town including the second annexation area to be annexed since the Town was incorporated to be referred to as the “Second (2nd) Annexation Area” consisting in the aggregate of approximately 258 acres, and located west and south of the current municipal corporate territory of the Town and further described as a portion of Ritchie Marlboro Road right-of-way intersecting the Pennsylvania Avenue (MD 4) right-of-way west of Town and the lands north of said Pennsylvania Avenue right-of-way and east of Ritchie Marlboro Road including Federal Springs Park and the lands south of the Federal Spring Branch of the Patuxent River extending east to where said Branch becomes the northern corporate limits of the existing Town of Upper Marlboro and extending east and south of the Town including and along the north side of the Pennsylvania Avenue (MD 4) right-of-way to the existing corporate limits bounded to the east by the Show Place Arena, MD Route 4 right-of-way, the Water Street (MD 717) right-of-way and the existing corporate limits of the Town near the Western Branch of the Patuxent River, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and including the third

annexation area to be annexed since the Town was incorporated to be referred to as the “Third (3rd) Annexation Area” consisting in the aggregate of approximately 246 acres, located east and north of the current municipal corporate territory of the Town and further described as the lands east of the existing corporate limits consisting of the Western Branch of the Patuxent River near the Federal Spring Branch where the Collington Branch crosses MD 725 (Marlboro Pike) and MD 202 (Largo Road) including lands along the east and west of MD 202 (Largo Road), north of Marlboro Pike (MD 725) proceeding to the Wurtz and Weeks Tract Resubdivision near Perseus Way (Undeveloped) and Largo Road (MD 202) and lands known as the Wurtz and Weems Tract east to the Pope’s Creek Branch Railroad right-of-way, and including, but not limited to, lands along either side (North & South) of Marlboro Pike (MD 725) east to the intersection of Crain Highway (US 301) including but not limited to the Marlboro Tobacco Market Subdivision, the Marlboro Shell Subdivision (McDonald’s Restaurant & Dash In Food Store), the Agricultural Fair Association Subdivision and lands near the intersection of Crain Highway (US 301) and Peerless Avenue, as further described in more detail in the metes and bounds description found below in Section 2 of this Resolution and the map exhibit referenced hereinbelow; and providing for the terms and conditions of the annexation to the Town of Upper Marlboro; and amending the Charter of the Town of Upper Marlboro for the purposes of including the annexed property within the legal descriptions and plats depicting the corporate limits of the Town; and generally all matters related to said annexation and annexation areas.

- **Public Comment**

Angie Rodgers, DCAO Economic Development – County are opposed to several elements of the annexation plan because under state law, the annexation property is to be contiguous and adjoining. There is a significant piece of property which is neither. A lot to reconcile about who will provide essential services. County is hoping it can be the beginning of a dialogue between the Town of Upper Marlboro and the County.

Robert Claggett Sanders, Resident – One of 8 family members who own a farm of 109 acres which is part of the second annexation area. It is still farmed and family have no plans for development. About 5 acres is already included in the Town. Town proposes to include the entire farm in the 2nd annexation. Family does not want 109 acres of the farm included in the plan. Want the farm to be excluded from the annexation plan.

Kevin Best, Town Attorney asked President Pennoyer to solicit anyone virtual or in person to submit written comments to be added to the record.

Motion was made by Commissioner Franklin to close the Public Hearing. It was seconded by Commissioner Duckett. Vote 3-3.

President Pennoyer then announced the results of the vote.

The Board of Town Commissioners then addressed the following items.

- **Annexation Resolution 01-2021 (Board Vote)**

President Pennoyer then asked if anyone wanted to make a motion to approve Annexation Resolution 01-2021.

Commissioner Duckett made a motion to approve Annexation Resolution 01-2021 and it was seconded by Commissioner Franklin.

Town Attorney than asked if President Pennoyer would ask if there was any discussion.

President Pennoyer than asked if there was any discussion at this point.

President Pennoyer than stated that Annexation could be put on hold 30 to 60 days to address the issues set forth by the County and Mr. Sanders.

Commissioner Franklin then made a motion to table the vote on Annexation Resolution 01-2021 for 30 days. It was seconded by Commissioner Duckett. Vote 3-3.

Action Item:

Annexation Resolution 01-2021 will be on hold for 30 days.

Town of Upper Marlboro will speak to the County and Mr. Sanders regarding comments provided during public comment.

- **Emergency Ordinance 2021-05: Pocket Park Purchase (Board Vote)**

Town Clerk John Hoatson read Emergency Ordinance 2021-05 Pocket Park Purchase.

Motion was made by Commissioner Franklin to approve Emergency Ordinance 2021-05 Pocket Park Purchase. It was seconded by Commissioner Duckett. Vote 3-3.

- **Proposal To Go Into Closed Session**

Proposal to go into closed session to consult with Town Attorney about appointing new members to the Board of Supervisors of Elections.

Commissioner Franklin made a motion to go into closed session. It was seconded by Commissioner Duckett. Vote 3-3.

Board of Commissioners then went into Closed Session at 6:30 PM

Respectfully submitted,


John Hoatson, Town Clerk

