

Town of Upper Marlboro

14211 School Lane • Upper Marlboro, Maryland 20772

SPECIAL TOWN MEETING December 7, 2021 – 6:30 p.m.

AGENDA

This meeting will be conducted via Zoom Video Teleconference. As the Town Hall remains closed to the public at this time, citizens may participate by video or phone (*please sign-in with the Clerk*): <https://uppermarlboromd-gov.zoom.us/j/83487960920?pwd=O0xGOWxnTTIYcklXeFNwNm1CNIJOdz09>
Meeting ID: 834 8796 0920; Passcode 365027; Dial-in only: 301-715-8592.

Call To Order

- **Roll Call**
- **Pledge of Allegiance**
- **Consent to the Agenda**
- **President’s Statement from the November 30, 2021 Closed Session**

Business

*Public comment will be taken prior to Business line items
(2 minutes per item)*

- 1. Resolution 2021-26 Resolution of the Board of Commissioners for the Town of Upper Marlboro to appoint two new supervisors of elections in accordance with the town charter (Board Vote)**
- 2. Swearing-In of Board of Supervisors of Elections: Patti Callicott, & John Summerlot**

Proposal To Go Into Closed Session

NOTICE OF CLOSED SESSION Tuesday, December 7, 2021, Following The Special Town Meeting

According to the Annotated Code of Maryland, the Board of Commissioners of the Town of Upper Marlboro, Maryland have the statutory authority to close a session under general provisions article 3-305b for the reasons of subsection: (7)___ “To consult with counsel to obtain legal advice”.

The Board of Town Commissioners propose to go into Closed Session to discuss Annexation Phase II & Phase III.

*All meetings are subject to closure in accordance with the State Open Meetings Act—House Bill 217
See back of Agenda for Public Comment Procedures*

Janice Duckett
Commissioner

Sarah Franklin
Commissioner/Treasurer

Linda Pennoyer
Commissioner/President

PUBLIC COMMENT PROCEDURES

Your Town government appreciates citizen input. So, in an effort to maximize effective resolutions on resident's issues, we encourage Town residents and businesses to contact us at Town Hall first, weekdays: 9 a.m.–5 p.m., or by written correspondence (or email to info@uppermarlboromd.gov). You are always welcome to schedule an appointment with the President or a Commissioner to discuss municipal problems and quality-of-life issues one-on-one and work together towards a satisfactory solution.

Agendas for meetings are posted on our website and notices of legislative items are also posted on the Town's social media accounts (Facebook & Twitter).

Our meetings are open to the public, and we ask that residents who want to comment to please follow the rules that have been established by "Resolution 2019-02: Adoption of Rules of Order and Regulations for Public Meetings" . . .

III. Citizen Input

A. At regular and special meetings, residents of the Town may have the opportunity to address the Board on any item on the agenda provided a resident is recognized and allowed to speak by the President. Recognized public comment and/or questions that are germane to the immediate agenda item shall be limited to (1) minute. Furthermore, each regular meeting shall also have an agenda item for citizen input regarding any municipal question, during which time any resident of the Town may address the Board for up to three (3) minutes on matters or items not necessarily placed on the agenda. Individuals not residing in the Town may speak at regular or special meetings under conditions specified by the Board. The President or the Board may uniformly change or adjust the time limitations for all speakers depending on the circumstances or provide additional time for experts or other officials.

B. Except in instances where the presiding officer expressly invites or allocates time for public testimony, questions, comments, or other forms of participation, or when public participation is otherwise authorized by law, no member of the public attending an open meeting session may actively participate in the session. Public comment by members of the public is not typically designed or intended for interactive dialogue between the Commission and the public unless the presiding officer specifically allows it or the Commission elects to suspend its rules to allow such colloquy.

C. Speakers shall state their name for the record, and their address (**street name only**). Ordinarily, for each agenda item, including citizen input, speakers shall have one opportunity to speak and may not poll or ask questions of individual commissioners, staff, or public officials. Otherwise, the Board shall determine the conduct of the public discussions on any issue and may set reasonable time limits for such.

D. Ordinarily, work sessions are open to public observation only and public participation is at the discretion of the Board. At work sessions, residents and non-residents may be allowed to speak on any municipal issue, but only under conditions specified by the Board.

Each individual speaker must stand, state their name and home of record (street name only) and approach the Board to a designated position in order to be recognized by the Chair of the Board, and to be heard by the recording Clerk, as well as others in attendance.

When the meeting is held on a virtual platform, please sign-in with your first and last name.

CLOSED SESSION SUMMARY SHEET TO BE READ INTO RECORD

Date: November 30, 2021

Time: 7:00PM

Location: Town Hall & Virtual Meeting

Closed Under Annotated Code: According to the Annotated Code of Maryland, the Board of Commissioners of the Town of Upper Marlboro, Maryland have the statutory authority to close a session under general provisions article 3-305b for the reasons of subsection: (7) "To consult with counsel to obtain legal advice".
The Board of Town Commissioners propose to go into closed session to discuss the actions of the Board of Supervisors of Elections.

Those Who Voted To Go Into Closed Session: Motion to close meeting was made by Commissioner Franklin, seconded by Commissioner Duckett. All voted in favor of the Closed Session.

Unanimous Of Elected Officials In Attendance: President / Mayor Pennoyer, Commissioner Franklin and Commissioner Duckett

Those In Attendance; President / Mayor Pennoyer, Commissioner Franklin and Commissioner Duckett, Town Attorney Kevin Best and Town Administrator Kyle Snyder

Actions Taken: No votes were taken.

Topics Discussed: Board discussed filling the two vacant positions on the Board of Supervisors of Elections.

Relevant Notes: None

The Town of Upper Marlboro

RESOLUTION: 2021-26
SESSION: Regular Town Meeting
DATE: December 7, 2021

A RESOLUTION OF THE BOARD OF COMMISSIONERS FOR THE TOWN OF UPPER MARLBORO TO APPOINT TWO NEW SUPERVISORS OF ELECTIONS IN ACCORDANCE WITH THE TOWN CHARTER

WHEREAS, the Town Charter states in recently amended Section 82-20 that there shall be a Board of Supervisors of Elections, consisting of three to five members including any additional member that may be designated to serve as an alternate or substitute member who shall act as a member of such Board in the absence of any one of the regularly-appointed members, as the Board in its sole discretion shall determine by written resolution as necessary and proper, who shall be appointed by the President with the approval of the Board of Commissioners on or before the second Tuesday in September in every even numbered year...[and]...the terms of members of the Board of Supervisors of Elections shall begin on the second Tuesday in September in the year in which they are appointed and shall run for two years...[and that] [m]embers of the Board of Supervisors of Elections shall be qualified voters of the Town and shall not hold or be candidates for any elective office during their terms of office...,” and

WHEREAS, the Town Charter further states in Section 82-20, “[n]otwithstanding anything herein to the contrary, the incumbent Supervisors serving their terms of office as previously set to expire in November of 2021 shall instead end their terms earlier on the first Monday of September of 2022 or shall serve until their successors qualify,” and

WHEREAS, Charter Amendment Resolution (“CAR”) 02-2021 amended the Town Charter to among other things to increase the number of the aforementioned offices and became effective on September 29, 2021; and

WHEREAS, the Board finds that it is necessary and proper to appoint two additional members to the Board of Supervisors of Elections in order to ensure adequate coverage and to afford the Board with the ability to distribute conduct of election workloads and canvassing more efficiently amongst its members and to further increase the internal controls, reduce stressful conditions and promote redundancies of Board tasks deemed necessary to help ensure election integrity; and

WHEREAS, CAR 02-2021 included a requirement for appointment by written resolution and the Board wishes to now formally appoint said officers in compliance with the recent charter amendment.

NOW THEREFORE, BE IT RESOLVED, by the Board of Commissioners of the Town of Upper Marlboro that the following appointments of the President/Mayor are hereby approved: (i) Patti Callicott and (ii) John Summerlot to serve as Supervisors of Elections for the Town; and

BE IT FURTHER RESOLVED, that said appointees terms shall commence immediately upon swearing in and will end in accordance with the Charter on the first Monday of September of 2022 or when their successors qualify; and

The Town of Upper Marlboro

BE IT FURTHER RESOLVED, that said appointees as charter officials shall be administered the oath of office required by Section 82–85 of the Town Charter; and

BE IT FURTHER RESOLVED, that this Resolution shall take effect immediately upon passage and that the President/Mayor is authorized to execute this Resolution on behalf of the Board.

PASSED by the Board of Commissioners of the Town of Upper Marlboro, Maryland at a regular public meeting on the 7th day of December, 2021.

ATTEST:

BOARD OF COMMISSIONERS OF THE TOWN
OF UPPER MARLBORO, MARYLAND

John Hoatson, Clerk

Linda Pennoyer, President

Sarah Franklin, Commissioner

Janice Duckett, Commissioner

CERTIFICATION

I, the undersigned, hereby certify that I am the Town Clerk of the Town of Upper Marlboro and that the Board of Town Commissioners of the Town of Upper Marlboro at a public meeting at which a quorum was present adopted this Resolution, and that said Resolution is in full force and effect and has not been amended or repealed. In witness whereof, I have hereunto set my hand and seal of the municipal corp., this 7th day of December, 2021.

John Hoatson, Clerk



**Swearing-In
Board of Supervisors of Elections
Town of Upper Marlboro
December 7, 2021**

I, Patti Callicott, do solemnly swear, (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, support the charter and laws of Prince George's County and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Supervisor of Elections, for the Town of Upper Marlboro in Prince George's County according to the Constitution and Laws of this State and Charter of the Town.





**Swearing-In
Board of Supervisors of Elections
Town of Upper Marlboro
December 7, 2021**

I, John Summerlot, do solemnly swear, (or affirm, as the case may be), that I will support the Constitution of the United States; and that I will be faithful and bear true allegiance to the State of Maryland, and support the Constitution and Laws thereof; and that I will, support the charter and laws of Prince George's County and that I will to the best of my skill and judgment, diligently and faithfully, without partiality or prejudice, execute the office of Supervisor of Elections, for the Town of Upper Marlboro in Prince George's County according to the Constitution and Laws of this State and Charter of the Town.





Town of Upper Marlboro

Town Hall, 14211 School Lane
Upper Marlboro, MD 20772

Tel: (301) 627-6905
Fax: (301) 627-2080

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