

# THE COMMISSIONERS OF ST. MICHAELS

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## **Memo:**

**To: Commissioners**

**From: Staff**

**Re: Volunteer Positions in the Town of St. Michaels**

**Date: October 6, 2011**

**Updated May 12, 2016**

**Updated November 13, 2019**

Below is a complete list of the Volunteer Boards, Commissions, Committees, and Panels (Boards) for the Town of St. Michaels as spelled out in the Code of the Town of St. Michaels. Chapter 98-1 spells out General Conditions that apply to all Boards. Below the General Conditions each of the Boards are listed as they appear in the Town Code. Following the language from the Town Code, we have listed information pertinent to the Board, meeting dates and times as well as an idea of the time commitment involved in the position and some topics the Board has been working on, or may be taking up in the near future. The Planning Commission, the Board of Zoning Appeals, The Historic District Commission, Ethics Commission, and the Tourism Board have all adopted Rules of Procedure which will also be made available to any applicant. The Housing Commission, appointed by the Commissioners meets at the direction of the Housing Commission Executive Director. Interested applicants can be given a copy of Chapter 98-1, as well as the Chapter for the Board relevant to their interest, and a copy of any Rules of Procedure that have been adopted.

# CODE OF THE TOWN OF ST. MICHAELS

## Chapter 98, BOARDS, COMMISSIONS, COMMITTEES AND PANELS

[HISTORY: Adopted by The Commissioners of St. Michaels 8-22-2007 by Ord. No. 352. Amendments noted where applicable.]

### § 98-1. General conditions.

Unless otherwise stated in the subsections below, all boards, commissions, committees and panels, hereafter "the board(s)," named in this chapter shall adhere to and be governed by the following rules:

- A. The meetings of all boards shall be open to the public, unless the conditions and qualifications of Maryland Code, State Government Article, § 10-508(a), are met.
- B. Notice of the meetings of all boards shall be posted on the bulletin board in the Edgar M. Bosley, Jr. Administration Building (Town Office).
- C. Each of the boards shall keep minutes, and a copy of the minutes shall be deposited with the Town Manager.
- D. The boards shall adopt written rules of procedure to govern their meetings or shall follow those of the Commissioners of St. Michaels to the extent that they apply.
- E. Vacancies on the boards occurring otherwise than through the expiration of term shall be filled for the unexpired term by the Town Commissioners in the manner specified for original appointments.
- F. All members of the boards shall serve as such without compensation, unless the Commissioners, by resolution, determine that appropriate compensation should be made to the members.
- G. Removal.
  - 1. Members of boards and commissions may be removed by the Town Commissioners for:
    - a) Incompetence;
    - b) Misconduct;
    - c) Failure to attend meetings under §8-501 of the State Government Article; or
    - d) Conviction of a crime in accordance with §8-502 of the State Government Article.
  - 2. No public hearing will be conducted unless required under the Annotated Code of Maryland, Title 2 (Planning) and Title 4 (Board of Appeals).

3. The Commissioners shall, in accordance with the Annotated Code, Title 2 (Planning), Title 4 (Board of Appeals) and Title 8 (Historic District Commission, file a written statement of charges stating the grounds for removal.

H. Members of boards and Commissions are subject to all provisions of this Code, including Chapter 22, Ethics.

## **§ 98-2. Planning Commission.**

A. In accordance with Maryland Annotated Code, Land Use Division, Title 2 (Planning Commission), there is a Planning Commission.

B. The Planning Commission consists of five members appointed by the Commissioners of St. Michaels for five-year terms, or until the member's successor takes office. [Amended 12-12-2007 by Ord. No. 377; 5-27-15 by Ord. No. 460]

C. Each appointed member of the Planning Commission shall be a full-time resident of the Town of St. Michaels at the time of appointment and during the term of the member. For the purpose of this subsection, "full-time resident" means declaring the Town of St. Michaels the person's primary residence for tax purposes.

D. Chair of Commission.

(1) The Planning Commission shall elect one of its members to be its chair.

(2) The term of chair shall be one year, with eligibility for reelection.

E. The Planning Commission may create other offices and elect to fill those offices with one of the appointed members and create and fill such other of its offices as it may determine.

F. Required Education (2014 Supplement to Title 1 General Provisions of the Annotated Code of Maryland). Within 6 months after appointment, a member shall complete an education course that includes: [Added 5-27-2015 by Ord. No 460]

(1) The role of the comprehensive Plan;

(2) Proper standards for special exceptions; and

(3) The local jurisdiction's local laws and regulations relating to zoning, planned development, subdivision, and other land use matters

G. The Planning Commission shall hold at least one regular meeting each month.

H. The Planning Commission shall have the powers necessary to enable it to fulfill its functions, promote planning, and execute the purposes of the Code of the Town of St. Michaels. Those functions include the following powers and duties:

(1) Prepare, and approve a Comprehensive Plan and subsequent updates to cover the lands and waters of the Town, which the Planning Commission shall recommend to the Town Commissioners for adoption;

(2) Approve and publish plans for major geographic sections or divisions of the Town;

(3) Recommend the boundaries of the various districts and appropriate regulations to be enforced therein that the Town may avail itself of the zoning powers conferred by Article 1 (Land Use), Title 2 (Planning Commission), of the Annotated Code of Maryland, [Amended 5-27-2015 by Ord. No. 460]

- (4) When directed by the Commissioners, prepare and make recommendations to the Town Commissioners relative to amendments to the Town's Comprehensive Plan and implementation documents;
- (5) Advise the Town Commissioners and Board of Appeals on matters relating to zoning, annexations, applications for special exceptions and variances when appropriate; [Amended 5-27-2015 by Ord. No. 460]
- (6) Review site plans for compliance with this Code and standards herein;
- (7) Approve proposed subdivision plats and re-subdivision of existing record plats, and all plats must bear the signature of the Chairman before legal filing in the Land Records of Talbot County;
- (8) Review and make recommendations to the Town Commissioners on applications for growth allocation;
- (9) Prepare, adopt, and file an annual report with the Town Commissioners as per the requirements Article 1 (Land Use) § 1-207, (Annual Report) of the Annotated Code of Maryland, 2014 Supplement; [Amended 5-27-2015 by Ord. No. 460]
- (10) Exercise any other powers, or discharge any other duties, granted to or imposed upon the Planning Commissions by any other ordinance or regulation of the Town of St. Michaels or by the laws of the State of Maryland;

### Staff Comments

*The regular meeting of the Planning Commission is the 4<sup>th</sup> Thursday of the month at 6:00 p.m. The Planning Commission often meets more than once per month, with members taking on assignments outside of the meetings. In recent years the Planning Commission has taken on the following tasks:*

- *Comprehensive Plan review and re-write- following the Comprehensive Plan review:
  1. *Zoning Ordinance re-write*
  2. *Subdivision regulation re-write*
  3. *Site Plan Review standards**
- *Worked with Waterways Management Advisory Board to re-draft Chapter 333 of the Town Code*
- *Working on documentation necessary to establish a Target Investment Zone within the Town in an effort to make available State and Federal Funding for capital projects for both public and non-profit organizations.*
- *Completed re-application for the Town's Sustainable Community Designation*

*In addition to the regular meetings, the Planning Commission holds workshops and conducts research on matters relevant to the project on which they are currently working. During this past calendar year the Planning Commission met at least twice a month to work on the Zoning*

*Code re-write, not including individual site inspections, report preparations, and Technical Advisory Committee meetings.*

*Anyone applying to sit on this Commission should recognize the time commitments necessary to be a productive member.*

### **§ 98-3. Waterways Management Advisory Board.**

A. There is a Waterways Management Advisory Board.

B. Membership.

(1) The Waterways Management Advisory Board consists of five members appointed by the Commissioners of St. Michaels.

(2) A majority of the appointed members of the Waterways Management Board shall be full-time residents, property owners or business owners within the Town of St. Michaels at the time of appointment and during the term of the member. In making such appointments, preference should be given to up to two (2) licensed watermen who berth their vessels in St. Michaels, (For the purposes of this subsection, "full-time resident" means declaring the Town of St. Michaels the person's primary residence for tax purposes.)

C. The term of a member of the Waterway Management Advisory Board is three years.

D. The Waterway Management Advisory Board shall annually select a Chairman. The Chairman shall be responsible for the conduct of all meetings, and act as Liaison/Advisor to the Commissioners and the Planning Commission.

E. The Waterways Management Advisory Board shall meet as frequently as it considers necessary, but not less than once every three months.

F. Advisory Duties

1. To act as an advisory and consultative body to the Commissioners of St. Michaels and the St. Michaels Planning Commission on policy and planning issues affecting the waters of the Town;
2. To be recognized as a contact body for concerns or suggestions for improvements relating to the Town's waters.
3. Monitor the condition and operation of all Town owned slips and launching facilities.
4. Report to the Town Manager any issues regarding the deteriorating condition of such structures and issues or concerns regarding waters of the Town.
5. Report to the Town Enforcement Officer any conditions which may be considered Municipal Infractions and need enforcement (i.e., illegal use of structures, trash, etc.);
6. Work cooperatively with the Department of the Environment and Corp of Engineers relating to issues in the harbor and other waters which lie adjacent to the boundaries of the Town.
7. Prepare an annual report for submission to the Commissioners which contains:
  - a. Proposals for new improvements, expansion or improvements to existing piers, bulkheads or shoreline stabilization projects;
  - b. Justification for such improvements or upgrades plus preliminary cost estimates;
8. Review existing fee schedule for boat slip rentals and include any recommendation for changes in the above noted report.
9. Review Chapter 333 with specific review of lateral lines or alternative methods for establishing riparian rights for projects proposed in all town waters.

### **Staff Comments**

*The Waterways Management Advisory Board has been very active since it's re-construction in 2015. They have worked on the Watermen's Park and the connecting Watermen's pier, as well as changes to the lateral line determinations, sea level rise grant applications, and advising the zoning officer on applications.*



#### **§ 98-4. Parks and Recreation Advisory Board.**

A. There is a Parks and Recreation Advisory Board.

B. Membership.

(1) The Parks and Recreation Advisory Board consists of five members appointed by the Commissioners of St. Michaels.

(2) A majority of the appointed members of the Parks and Recreation Advisory Board shall be full-time residents, property owners or business owners within the Town of St. Michaels at the time of appointment and during the term of the member. [Amended 5-27-2015 by Ord. No. 460]

C. The term of a member of the Parks and Recreation Advisory Board is three years.

D. The Parks and Recreation Advisory Board shall elect one of its members to be its chair.

E. All members of the Parks and Recreation Advisory Board shall serve as such without compensation.

F. The Parks and Recreation Advisory Board shall meet as frequently as it considers necessary, but not less than once every three months.

G. Advisory duties.

(1) The Commissioners of St. Michaels may seek a recommendation from the Parks and Recreation Advisory Board on projects or issues relating to the parks and public green spaces. [Amended 5-27-2015 by Ord. No. 460]

(2) Without the express written approval of the Commissioners of St. Michaels:

(a) No policies for the parks shall be imposed;

(b) No permanent fixtures, improvements, or structures may be installed or constructed;

(c) No permission for use may be granted;

(d) No programs or events may be scheduled; and

(e) No other authorization may be given.

H. The Parks and Recreation Advisory Board shall exercise its assigned duties and functions in relation to those parks and recreation facilities explicitly designated by the Commissioners as within the Board's purview.

I. The duties and functions of the Parks and Recreation Advisory Board are:

(1) To observe and report conditions, uses, activities, and programs;

(2) To report to the Commissioners any needs for maintenance and to recommend to the Commissioners policies and practices and the means of their implementation;

- (3) To interact with community agencies, citizen groups, donors, and other parties in making recommendations to the Commissioners on the planning, design, development, and enhancement of facilities and programs;
- (4) To coordinate approved activities by citizen volunteers;
- (5) By February 1 of each year, to prepare for the Commissioners budget recommendations for capital improvement to be considered in the overall Town budget process;
- (6) To report to the Commissioners as appropriate, and to submit an annual written report of their activities and recommendations, said report to be submitted to the Commissioners by February 1 of each year;
- (7) To coordinate with and assist the Town staff and Public Works Department on projects that the Commissioners have approved.

### **Staff Comments**

*The Parks and Recreation Advisory Board meets on the 3<sup>rd</sup> Monday of the month at 5:00 p.m. Meetings usually take approximately 1.5 hours a month; occasionally more time is necessary. The Parks and Recreation Advisory Board has worked on planting plans for the Parks as well as assisted with the maintenance the garden beds in the Town Parks. They have been involved with recommendations for mitigation planting and plans for some of the street projects and have compiled a Town Parks Brochure. They are working on a bike route.*

### **§ 98-5. St. Michaels Tourism Board.**

The Commissioners may appoint a St. Michaels Tourism Advisory Board and establish by ordinance the duties, procedures and qualifications therefor.

### **Staff Comments**

*The Tourism Board was disbanded with the hiring of Kim Weller as Communications Manager in 2014. As the position of Communications Manager was a new position in St. Michaels, the Commissioners wanted to let the position get settled before deciding whether or not to appoint a new board. So far, there has been no need to appoint a new board.*

## **§ 98-6. Board of zoning appeals. [Added 12-12-2007 by Ord. No. 359]**

[Added 12-12-2007 by Ord. No. 359]

A. There is a Board of Zoning Appeals created in accordance with Maryland Annotated Code – Lane Use Division 1 §4-302 (Membership).

B. Members of the Board of Zoning Appeals. The Board of Zoning Appeals consists of three members appointed by the Commissioners of St. Michaels.

(1) The Town Commissioners shall designate one or more alternate member(s) for the Board of Zoning Appeals who shall serve at the pleasure of the Town Commissioners. An alternate member shall sit with the Board if a regular member is absent.

(2) The term of a member of the Board of Zoning Appeals is three years.

C. Meetings of the Board of Zoning Appeals.

(1) Meetings of the Board shall be held at the call of the Chairman and at such other times as the Board may determine.

(2) The Board of Zoning Appeals shall adopt rules necessary to the conduct of its affairs and in keeping with the provisions of Article 1 (Land Use), §4-304 (Miscellaneous duties) of the Annotated Code of Maryland, and Chapter 340 of this Code.

(3) The Chairman or, in the Chairman's absence, the Acting Chairman, may, on behalf of the Board or at the written request of a party:

(a) Administer oaths;

(b) Issue orders to compel the attendance of witnesses;

(c) Issue orders to compel the production of documents and things.

(4) Failure to honor and fully comply with an order of the Board of Zoning Appeals to attend a hearing, testify, or produce documents and things shall be grounds for a finding against the offending party.

(5) The Board of Zoning Appeals shall keep as a public record and immediately file in the office of the Board:

(a) Records of its examinations and other official records.

D. Duties of the Board of Zoning Appeals. The duties and powers of the Board of Zoning Appeals are defined in Article 1 (Land Use) § 4-305 of the Annotated Code of Maryland, and in Chapter 340, Zoning, Article IX, Board of Zoning Appeals Powers and Duties, of this Code.

### **Staff Comments**

*The Board of Zoning Appeals meets on the 2<sup>nd</sup> Monday of the month at 5:30 p.m. on an as needed basis.*

*Membership on this Board requires someone who can set aside their personal relationship with an applicant and focus only the details of the case before them and the criteria established for such a review. Hearings are normally lengthy in nature and involve legal representation for the parties involved. Dependent upon the decision rendered, these matters may be challenged in court.*

## **§ 98-7. Historic District Commission. [Added 12-12-2007 by Ord. No. 359]**

Added 12-12-2007 by Ord. No. 359]

A. There is a Historic District Commission created in accordance with Maryland Annotated Code – Land Use Division , Title 8 (Historic Preservation).

B. Members of the Historic District Commission.

- (1) The Historic District Commission consists of five members appointed by the Commissioners of St. Michaels.
- (2) A majority of the members of the Commission shall be full-time residents of the Town of St. Michaels at the time of appointment and during the term of the member.
- (3) Each member of the Historic District Commission shall possess a demonstrated special interest, specific knowledge, or professional or academic training in such fields as history, architecture, architectural history, planning, archeology, anthropology, curation, conservation, landscape architecture, historic preservation, urban design, or related disciplines.
- (4) The term of a member of the Historic District Commission is three years.
- (5) Alternate Member- The Commissioners may designate one alternate member who may sit on the commission when any other member of the commission is absent. When the alternate member is absent the Commissioners may designate a temporary alternate.

C. Meetings of the Historic District Commission.

- (1) Meetings of the Commission shall be held at the call of the Chairman and at such other times as the Board may determine.
- (2) The Historic District Commission shall elect one of its members to be its Chairman at the first meeting in January.
- (3) The Chairman shall serve a term of one year and may be reelected.
- (4) The Chairman shall be a voting member of the Historic District Commission and may make motions and seconds in the course of business.

D. Duties of the Historic District Commission. The duties of the Historic District Commission are those contained in Article 1 (Land Use) Title 8 (Historic Preservation) of the Annotated Code of Maryland and in Chapter 340, Article VI, Historic District Provisions, of this Code.

### **Staff Comments**

*The Historic District Commission meets on the 1<sup>st</sup> Thursday of the month at 6:30 p.m. When looking at complicated applications meetings can be lengthy averaging 2.5- 3 hours.*

*Decisions must be based on the standards set out in their adopted guidelines and duties as set out in the Code.*

*The Board is working on revising their guidelines.*

#### **§ 22-4. Ethics Commission.**

There shall be a Town Ethics Commission which shall be composed of three members who shall serve at the pleasure of and be appointed by resolution of The Commissioners of St. Michaels, which resolution shall become effective immediately upon reading and passage at a single meeting by The Commissioners of St. Michaels. The Commission shall be advised by the Town Attorney and shall have the following responsibilities:

- A. To devise, receive and maintain all forms generated by this chapter;
- B. To provide published advisory opinions to persons subject to this chapter as to the applicability of this chapter to them;
- C. To process and make determinations as to complaints filed by any person alleging violations of this chapter;
- D. To conduct a public information program regarding the purposes and application of this chapter.

#### § 22-8. Enforcement.

- A. The Commission may issue a cease-and-desist order against any person found to be in violation of this chapter and may seek enforcement of this order in the Circuit Court for Talbot County. The court may issue a cease-and-desist order and may also impose penalties pursuant to § C-21A of the Charter for any violation of the provisions of this chapter.
- B. A Town official or employee found to have violated this chapter may be subject to disciplinary or other appropriate personnel action, including suspension of the Town salary or other compensation.

#### **Staff Comments**

*The Ethics Commission meets annually, and as necessary.*

## **Housing Commission of Talbot Articles of Organization**

These Articles of Organization are adopted pursuant to Title 12 of the Housing and Community Development Article of the Annotated Code of Maryland.

### **ARTICLE 1. DECLARATIONS OF FINDINGS**

It is hereby declared that:

- (a) It is the policy of the Towns of Easton and St. Michaels to promote the availability of safe, sanitary and decent housing for the citizens of the two Towns;
- (b) There exists within the municipalities unsanitary or unsafe dwelling accommodations, and persons of low and moderate income are forced to reside in such unsanitary accommodations;
- (c) Within the Towns of Easton and St. Michaels there are shortages of safe or sanitary dwelling accommodations available at rents which persons of low and moderate income can afford. Consequently many of these persons live in unsanitary, unsafe, or overcrowded housing;
- (d) Unsanitary, unsafe, or overcrowded housing conditions lower the value of surrounding property, constitute a menace to the health, safety, and welfare of the town's residents, and require spending of considerably more than average amounts for public services such as police, fire, health, courts, and prisons;
- (e) The shortage of safe and sanitary dwelling for persons of low and moderate income cannot be relieved through the operation of the private housing market alone, and the construction of affordable housing communities for persons of low and moderate income would therefore not be competitive with private enterprise;
- (f) The clearance, replacing and reconstruction of areas containing unsanitary or unsafe housing and the providing of safe and sanitary housing at rents affordable to persons of low and moderate income are public uses and purposes and essential government functions for which public money may be spent and private property acquired;
- (g) A need exists for mortgage credits to be available because many purchasers and owners of housing are unable to afford mortgage credit at the market rate of interest to obtain mortgage credit because the mortgage credit market is severely restricted;
- (h) Therefore, there is a need for a Housing Commission to function in both Towns and in the State of Maryland:

ARTICLE 2.                    **ESTABLISHMENT OF HOUSING COMMISSION**

There is a public body corporate and politic known as the Housing Commission of Talbot exercising public and essential governmental functions, and having all powers necessary or convenient to carry out the provisions and purposes of these Articles of Organization pursuant to the Housing and Community Development Article of the Annotated Code of Maryland.

ARTICLE 3.                    **COMMISSIONERS**

The powers of the Housing Commission of Talbot shall be vested in seven (7) commissioners; three (3) who shall be appointed by the Mayor of the Town of Easton, and three (3) who shall be appointed by the Commissioners of the Town of St. Michaels. The th commissioner shall be a resident to represent the community and shall be appointed by consensus of the community/program participants and each shall serve for five (5) year terms in accordance with the applicable provisions of Housing and Community Development Article of the Annotated Code of Maryland.

ARTICLE 4.                    **CUSTODIAN OF THE RECORDS**

The custodian of the records for the purposes of the Housing and Community Development Article of the Annotated Code of Maryland shall be the Executive Director of the Housing Commission of Talbot.

ARTICLE 5.                    **POWERS**

(a)    ENUMERATION:

Those powers granted to Housing Commissions/Authorities in Section 12-502 of the Housing and Community Development Article of the Annotated Code of Maryland are the powers generally of the Housing Commission of Talbot and the aforesaid Commission elects those powers granted by Section 12-503 of the Housing and Community Development Article of the Annotated Code of Maryland. The powers within the area of operation are as follows:

- (1)    To make mortgage loans and mortgage subsidy payments to or for the benefit of persons of eligible income;
- (2)    To make construction loans and long-term mortgage loans to any person, firm, partnership, association, joint venture, or corporation, public or private, in order to produce housing for persons of eligible income;
- (3)    To purchase mortgages secured by housing for persons of eligible income;
- (4)    Subject to any restrictions contained in any applicable agreement with the State or federal government or any other party, to permit up to 80- percent of the residents of any housing project or any portion thereof financed by the commission to have incomes above the level established for persons of eligible income;
- (5)    To acquire, develop, construct, rehabilitate, own, operate, and lease



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(either as lessor or lessee) commercial facilities on the site of a housing project which make an economic or social contribution to the housing project, provided that the commercial facilities are intended substantially for the use and benefit of the tenants of the housing project and the intended use by other persons incidental;

- (6) Subject to the approval of the Board of Commissioners of the Housing Commission of Talbot, to acquire, develop, construct, rehabilitate, own, operate, and lease (either as a lessor or lessee) commercial facilities:
  - (i) Adjacent to the site of a housing project; or
  - (ii) Which are not intended substantially for the use and benefit of the tenants of the housing project on more than an incidental basis; and
- (7) To act and invest as a general partner and as a limited partner in housing projects.

(b) CONSTRUCTION

The authorization of powers by section (a) of this article shall not be construed as limiting the powers granted to the Housing Commission of Talbot by other titles in the Housing and Community Development Article of the Annotated Code of Maryland.

ARTICLE 6. **NONDISCRIMINATION**

The Housing Commission shall not discriminate on the basis of race, color, creed, religion, national origin, sex, marital status, physical or mental disability, occupation, political opinion, sexual orientation, personal appearance or age (except with respect to a project intended in whole or in part for elderly persons) in leasing or otherwise providing dwelling accommodations or in any other aspect of the development administration or operation of any housing project or undertaking of the Commission, or in any aspect of employment by the Commission or any sponsor, developer; or contractor involved in the construction, repair or maintenance of any property or program of the Commission.

ARTICLE 7. **SEVERABILITY**

If any part of these Articles of Organization is held invalid, the invalidity shall not affect the other parts.

*The Housing Commission of Talbot meets under the direction of Housing Authority Director Don Bibb.*