

**BOONSBORO MAYOR AND COUNCIL**  
**NOVEMBER 7, 2016**  
**PUBLIC HEARING**  
**6:00 PM**  
**St. Paul Street STOP Signs**

The Boonsboro Mayor and Council held a Public Hearing as duly advertised on Monday, November 7, 2016 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard W. Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Byrd, Marilee Kerns, and Terry Davis. Also present were Town Manager Megan Clark, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. The meeting convened at 6:30 PM.

Mayor Long opened the Public Hearing at 6:30 PM for the purpose of receiving public input, either in support of or in opposition of the **St. Paul Street STOP Signs** which was discussed at the October 3, 2016 Regular Meeting. Council Member Byrd, on behalf of the Public Safety Commission, stated that the request is to place 2 additional stop signs on St. Paul Street at the intersections of Lakin Avenue and Orchard Drive, and that stop signs are necessary at the intersections in order to allow for pedestrians to safely walk on the sidewalk-less street, including school children on their way to and from school.

The floor was opened for public comment.

- **Joyce Stoffer**, 106 St. Paul Street, stated that she is concerned by the speed of vehicle on St. Paul Street and the lack of sidewalks in the area.
- **Eric Kitchen**, 115 Orchard Drive, stated that he grew up on the corner of St. Paul Street and Lakin Avenue, and that speeding vehicles have always been a problem there. He stated that his concern is that the proposed additional stop signs will cause motorist to reroute down Orchard Drive causing additional safety issues on that street.
- **Tony Nally**, 110 David Drive, stated that he moved to Boonsboro in 1991 and that the 4-way stop sign at David Dive and Winner Lane has helped to slow traffic down.
- **Kimberly Miller**, 135 Lakin Avenue, stated that her husband and she travel St. Paul Street to Boonsboro Mountain Road twice daily and that although there is a pedestrian safety concern from those motorists who speed, she feels that it would be more of an annoyance to have to stop 3-times in a short distance while traveling on road than a help. She suggested placing additional signage to slow traffic.

Council Member Byrd submitted a letter from **Marylou Bowers**, 109 St. Paul Street, who was unable to attend the Public Hearing due to medical reasons. Her letter stated that she is favor of placing the 2 additional stop signs on St. Paul Street to aid with pedestrian safety due to the street having no sidewalks and vehicles speeding.

Hearing no further comments the Public Hearing was closed at 6:45PM.

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant

**BOONSBORO MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, NOVEMBER 7, 2016**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, November 7, 2016 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard W. Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Byrd, Marilee Kerns, and Terry Davis. Also present were Town Manager Megan Clark, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

**APPROVAL OF NOVEMBER MEETING AGENDA**

Mayor Long requested the approval of the November 2016 Meeting Agenda. Council Member Kerns stated that she would like to add a discussion of the Boonsboro Municipal Utilities Commission utility bill payment options under New Business.

- **Motion** by Council Member Solberg, second by Council Member Kerns to approve the **November 7, 2016 Regular Meeting Agenda** with the addition of the BMUC Utility Bill Payment Options, and motion carried.

**REVIEW AND APPROVAL OF AUGUST MEETING MINUTES**

- **Motion** by Council Member Schmidt, second by Council Member Davis to approve the October 3, 2016 **Regular Meeting Minutes** and the October 24, 2016 **Workshop Meeting Minutes**, and motion carried.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Byrd to approve the October 2016 **Treasurer's Report**, and motion carried.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the October 2016 **Bills to be Paid Report**, and motion carried.

**PUBLIC COMMENTS**

**Steve Jamison**, 42 St. Paul Street, stated that he was not able to attend the Public Hearing for the St. Paul Street Stop Signs at 6:30pm, but that he'd like to add that vehicles speed a lot at the corner near his house on St. Paul Street and always have.

**MAYOR AND COUNCIL MEMBER CORRESPONDENCE**

*(No correspondence was discussed)*

**Police Department Report** – *Chief Stanford*. The Police Department received 158 calls for service, which included 53 motor vehicle violator contacts for the month of October 2016. There were 0 adult criminal arrests, 0 adult traffic arrest, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 6.09 pounds of prescription drugs through the Drug Turn-In Program for the month of October.

**NEW BUSINESS**

**Municipal Government Works Month Proclamation:** Mayor Long read the Proclamation proclaiming November 2016 as Municipal Government Works Month in accordance with Maryland Municipal League. **Motion** by Assistant Mayor Kauffman, second by Council Member Davis to proclaim November 2016 as Municipal Government Works Month, and motion carried.

**St. Paul Street Stop Signs:** Council Member Byrd stated that a Public Hearing was held at 6:30pm before the Regular Meeting to hear citizens' comments regarding the request to place 2 additional stop signs on St. Paul Street. He stated, on behalf of the Public Safety Commission, that the recommendation is to place the stop signs on Saint Paul Street at the intersections of Lakin Avenue and Orchard Drive, and that stop signs are necessary at the intersections in order to allow for pedestrians to safely walk on the sidewalk-less street, including school children on their way to and from school. Council discussed the pros and cons of additional stop signs, noting that stop signs may cause motorists to reroute themselves down Orchard Drive thus creating additional speed issues in other areas of Town. Council agreed that something needs to be done to help with pedestrian safety on St. Paul Street, but that stop signs might not be the answer. Council discussed adding additional street signage in hopes to calm traffic speed.

- **Motion** by Council Member Byrd, second by Council Member Kerns to approve the additional 2 stop signs on St. Paul Street at Orchard Drive and Lakin Avenue, and motion failed, 4-2.

- **Motion** by Council Member Davis, second by Assistant Mayor Kauffman to purchase and install a Town limits sign, 'reduce speed ahead' sign, 'radar enforcement zone' and additional speed limit signage for St. Paul Street, and motion carried.

**Police Officer Vacancy:** Chief Stanford stated that he is recommending the hiring of Anthony LoRusso to fill the Police Officer vacancy, with the starting date of November 8, 2016 and the starting salary of \$44,265. He stated that Mr. Lorusso is a previously certified Officer with over 13-years of Law Enforcement experience with the Frederick County Sheriff's Office.

**Motion** by Council Member Schmidt, second by Council Member Byrd to approve the hiring of Anthony LoRusso with the starting date of November 8, 2016, at the starting salary of \$44,265, and motion carried.

**Recommendation to Award Bid – Shafer Park Tot Lot:** Town Manager Clark, based on the recommendation from the Park Board, presented the recommendation to award the Tot Lot Project in Shafer Park, for the amount of \$48,315.48, to GameTime/Cunningham Recreation. She stated that this Project is grant funded through Program Open Space, and that 5 bids were received with 8 proposals at the October 24, 2016 bid opening. **Motion** by Council Member Kerns, second by Assistant Mayor Kauffman to award the Tot Lot Project in Shafer Park to GameTime/Cunningham Receptions for the cost of \$48,315.48, and motion carried.

## PRESENTATION

**Smith, Elliott, Kearns and Company, Fiscal Year 20165 Financial Audit -** Erin Clark, of *SEK & Company*, presented the Fiscal Year 2016 Audit Summary for the year ending June 30, 2016 of the General, Water, and Sewer Funds. Ms. Clark stated that the Uniform Financial Statements and Independent Auditor Report (UFR) have been submitted to the State and required agencies. She briefly reviewed the highlights from the Financial Statement Summary, stating that the General Fund has a fund balance of \$3,045,273. The Water Fund ended the year with a Net Income of \$80,978; while the Sewer Fund had deficit of \$74,288.

## NEW BUSINESS CONT.

**Recommendation to Award Bid – Shafer Park Restroom Rehabilitation:** Town Manager Clark, based on the recommendation from the Park Board, presented the recommendation to award the Shafer Park Bathroom Rehabilitation Project, for the amount of \$50,000, to Cronise Corporation. She stated that this Project is funded through a Community Parks and Recreation Grant of \$55,000. She reviewed that no bids were received at the October 24, 2016 bid opening, but that she did receive the quote from the Cronise Corporation who were not able to submit a bid proposal due to a computer crash and failure. **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to award the Shafer Park Bathroom Rehabilitation Project to the Cronise Corporation for the cost of \$50,000, and motion carried.

**Recommendation to Award Bid – Snowplowing Services:** Town Manager Clark stated that the Request for Proposals for additional snowplowing and sidewalk clearing for the 2016-2017 winter season, designed to help relieve Town employees during large storm events, was advertised in The Herald-Mail Newspaper and the Town website, with proposals due by October 19. She stated that Custom Landscape Management submitted a bid for the same price as their Maintenance Agreement for the 2015-2016 winter season, at the rate of \$90 per hour for plowing and salt spreading and \$40 per hour for shoveling. She further stated that an additional bid was received from Botanica Enterprises at the rate of \$125 per hour for plowing and salt spreading and \$45 per hour for shoveling. Town Manager Clark stated that staff is recommending that the Town accepts the proposal from Custom Landscape Management again this season. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to award Custom Landscape Management the Snowplowing Contract for the 2016-2017 season, and motion carried.

**2017 Meeting and Event Calendar:** Town Manager Clark stated that Administrative Assistant Miller provided the 2017 Meeting and Event Calendar for the Council's review and input at the October Workshop meeting. Administrative Assistant Miller stated that she made the edits and corrections to the calendar as requested. **Motion** by Assistant Mayor Kauffman, second by Council Member Byrd to approve the 2017 Event and Meeting Calendar as presented, and motion carried.

**Request for Fire Police at 2017 Events:** Town Manager Clark stated that she prepared a request to the Washington County Sheriff's Department for Fire Police assistance with traffic control during Town events in 2017. She stated that the events requesting Fire Police assistance would be Green Fest, the Rescue Company Carnival, the Independence Day Celebration and Boonsborough Days, noting that all fees incurred will be paid for by the hosts of those events. **Motion** by Council Member Solberg, second by Council Member Kerns to approve the letter of request to the Washington County Sheriff's Department for Fire Police during 2017 Town events, as presented, and motion carried.

**BEC Reappointment:** Council Member Schmidt, on behalf of the Boonsboro Environmental Commission, presented the recommendation to reappoint Laura Schnackenberg and Scott McIlwee to the Commission for consecutive 4-year terms ending November 2020 and Rosemary James to the Commission for consecutive 3-year terms ending November 2019.

- **Motion** by Council Member Kerns, second by Council Member Solberg to approve the reappointment of Laura Schnackenberg for consecutive 4-year term through November 2020, and motion carried.
- **Motion** by Council Member Byrd, second by Council Member Solberg to approve the reappointment of Scott McIlwee for consecutive 4-year term through November 2020, and motion carried.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Byrd to approve the reappointment of Rosemary James for consecutive 3-year term through November 2019, and motion carried.

**Public Safety Commission Appointment:** Council Member Byrd, on behalf of the Public Safety Commission, presented the recommendation to appoint Rick Weaver to the PSC for a 3-year term ending November 2019. **Motion** by Council Member Kerns, second by Council Member Schmidt to appoint Rick Weaver to the Public Safety Commission for a 3-year term through November 2019, and motion carried.

**Request for Donation – Boonsboro Warrior Band Boosters:** Town Manager Clark stated that she received a Request for Donation from the Boonsboro High and Middle School Band Boosters for funds to be used towards the maintenance of the Band equipment and instruments. **Motion** by Assistant Mayor Kauffman, second by Council Member Solberg to donate \$100 to the Boonsboro High and Middle School Band Boosters, and motion carried 5-0, with Council Member Schmidt abstaining.

**BMUC Utility Bill Payment Options:** Council Member Kerns stated that a few residents have approached her regarding the new Utility bill rate increase for the services. She stated that residents are having a difficult time paying their bill in full and are inquiring about payment plans. Town Manager Clark stated that the Town has always worked with residents and accepted multiple payments for Utility bills, as long as the bill is paid in full before the 'cut-off notice' due date. She further stated that the new BMUC billing software is slated to launch in January 2017 and that it includes an updated payment portal that is designed to allow residents to create a payment plan and make monthly, or weekly, payments on their account.

## **COMMISSION REPORTS**

**Public Safety Commission – R. Byrd.** Meeting held on October 20, 2016. The PSC welcomed potential Commission Member Ricky Weaver, noting that the recommendation for appointment to the PSC will be forwarded to the Mayor and Council. Discussions included the upcoming Public Hearing for the PSC's requested for 2 additional stop signs on St. Paul Street, The ongoing walkability study and prioritizing areas of concern, speeding issues throughout Town, the Police Departments request for a radar/speed trailer, the proposed Safe Exchange program and the hiring of new Police Officer Anthony LoRusso.

**Park Board –M. Kerns.** Meeting held on October 26, 2016. Discussions included the bid proposals for the Shafer Park Tot Lot and Restroom Rehabilitation Projects, an update on the Park Trail Project, plans for Olde Tyme Christmas, the Tree Planting project scheduled for November 12, 2016 in Shafer Park and the Eagle Scout Monarch Butterfly Way Station which will be planted in the spring of 2017.

**Utilities Commission –T. Davis.** Meetings held on October 20, 2016. The Commission held an Election of Officers. Paul Loeber was elected Chairperson, Todd Kennedy as Vice-Chairperson and Ernie Harr as Secretary. Discussions included the plans to postpone additional work with ALWI on the Water Capacity, a review of the BMUC Policies updates, the approval to rehabilitate 6 water filters, a handheld meter reader and meter wand as part of the FY17 CIP, the approval to purchase a 'dial-out system' for the Young Avenue Pump Station, and plans to update the Town's Water Conservation Plan with the Environmental Commission.

**Planning Commission –J. Solberg.** Meeting held on October 25, 2016. Discussions included denying the request for the Plan Change to remove the sidewalk and access ramp on the north side of the new AC&T building, but allowing the requirement to be postponed until the sidewalks are extended in the future, updates on the Dollar General project and Sycamore Run, Battlefield Estates and the Preserve at Fox Gap, and updates on the Shafer Park trail, Tot Lot and restroom rehabilitation projects.

**Economic Development Commission –C. Kauffman.** Meeting held on October 25, 2016. Guest Peter Perini attended the meeting and invited the EDC members to attend the next meeting of the Community Coalition of Washington County.

Discussions included the approval to adopt a policy for Public Comments during meetings, the plans for the upcoming 225<sup>th</sup> Town Anniversary and the new commemorative mugs, the approval of the 'Love Your Local' logo and the purchase of decals and balloons to promote "First Saturdays", and the new Historic Site/Walking Tour brochure. The Networking Breakfast will be held on November 18 at 7:30am at Vesta's, with guest speaker Jennifer Ross, head librarian for the Boonsboro Free Library. The next EDC meeting will be held on December 14, 2016.

**Environmental Commission – B. Schmidt.** Meeting held on held on October 11, 2016. Guest Frances Lynch attended the meeting to discuss the American Conservation Film Festival in Shepherdstown, WV in October 2016. Discussions included the SMC Leadership Training meeting, the Water Conservation Plan, updating 3 Member reappointments, and Subcommittee Reports.

**Town Manager Report – M. Clark.**

- Stated that the Public Works Staff has been working to install the water main for the Knode Circle Waterline Replacement Project and that New Direction will be installing the service lines as soon as they are finished.
- Stated that the Shafer Park Trail Project is near completion, with paving and landscaping to be done very soon
- Stated that she is working on the MEA, ARC Fiscal Year 2017 Sewer Interceptor and Program Open Space Grants
- Stated that the DNR trees are ready for the Shafer Park Tree Planting Event scheduled for November 12
- Stated that the Debris Site on Monroe Road will close for the season on Saturday, November 19
- Stated that the Street Sweeper will be in Town on Monday, November 21

Mayor Long asked if there were further comments.

- **Tony Nally**, 110 David Drive. Requested a digital copy of the Town's Fiscal Year 2016 Audit. Stated that he is frustrated and not satisfied with how his family is being treated regarding their BMUC water bill situation. Stated that he feels that they are not being treated fairly.
- **Bob Deener**, 626 North Main Street. Suggested purchasing "Children Present" signage for St. Paul Street.

**Motion** by Council Member Kerns, second by Assistant Mayor Kauffman to close the Regular Meeting at 9:11 pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant

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**BOONSBORO MAYOR & COUNCIL**  
**MONDAY, NOVEMBER 21, 2016**  
**WORKSHOP MEETING**

The Mayor and Council held their Workshop Meeting on Monday, November 21, 2016 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, December 5, 2016. Present were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Bryd, Marilee Kerns and Terry Davis. Also present were Town Manager Megan Clark, Town Attorney William Wantz, Boonsboro Municipal Utilities Commission Chairman Paul Loeber and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM.

**Boonsboro Municipal Utilities Commission:**

- **Review of Water & Sewer Policies:** Town Attorney Wantz attended the meeting, at the request of Town Manager Clark, to review the BMUC Water and Sewer Policies, specifically regarding variances in terms of delinquent Utility accounts and provisions. He stated that there is currently no administrative appeal process for Utility bills in Maryland State Law. He further stated that an unsatisfied resident can submit a Request of Reconsideration to the BMUC, noting that the only form of recourse is through the court systems. He recommended following up with Maryland Municipal League to compare other Municipal Utility policies. Council Member Kerns expressed her continued concerns regarding meter readings for property settlements, the disconnection policy and Utility bill adjustments due to water leaks. She stated that the BMUC and Town staff need to be consistent with all residents' account. Town Manager Clark stated that the BMUC Water and Sewer Policies are not ready for formal recommendation and she will follow up with Attorney Wantz and MML.
  - **Tony Nally**, 110 David Drive, voiced his continued frustration regarding the water bill for his family's property at 7405 Mountain Laurel Road. He reviewed that the property was sold in 2007 and that in 2009/2010 a water leak was discovered and the water was permanently turned off. He stated that the owner defaulted on the mortgage payments and the family regained possession of the property in June 2011. Mr. Nally stated that his family did not receive a BMUC water bill from June 2011 until 2016, noting that when they did they discovered that they had been charged a Maintenance Fee and the Bay Restoration Fee for every billing quarter since 2011, even though no water was used on the premises. He stated that they have requested to have the water meter removed from the property and that the Town will not remove it. He further stated that he has an email from the State saying that his family should not have to pay the BRF due to the circumstances, but that the Town is not willing to completely remove the Fee. He stated he understands that there is a minimum fee billed whether the property is occupied or not, however feels there should be some relief in the billed amount since the family was unaware and did not receive bills.

Attorney Wantz stated that it is State mandated that the BRF must be applied to all water accounts whether the property is occupied or not. Attorney Wantz also stated that if the bill is mailed first class and not returned, the Courts support this is proof that the bill was delivered. Town Manager Clark stated that she will call Jim Peck, the Director of Research and Information Management for the Maryland Municipal League, to discuss this ongoing issue with him and report his recommendations to the BMUC for further review. BMUC Chairman Loeber agreed with that decision and consensus from the Council for Mr. Nally to request the BMUC to hear the request again.

**Fiscal Year 2017 Capital Improvement Projects:**

- **Consideration to Bid Town Hall HVAC Replacement:** Town Manager Clark presented the request to place the Town Hall HVAC Replacement Project out for bids, noting that the 2014 Energy Audit recommended replacement of the inefficient equipment and the project is budgeted as part of the Fiscal Year 2017 CIP Budget. She stated that the Project is to replace the 1993 oil furnace and two aging A/C condensers and evaporator coils with a high efficiency heat pump/furnace and programmable thermostats. Council Member Kerns asked if the replacement is necessary right now. Town Manager Clark stated that although there is not an immediate need for the replacement of the furnace, Harrell's Services reported that it is only working at around 75% during their last maintenance visit. Council discussed waiting until spring 2017 to replace the units, unless an emergency situation occurs during the winter months. Mayor Long stated that the Request for Bids will be tabled until the January 2017 Workshop Meeting.

### Program Open Space:

- **Review of Funding and Grants:** Town Manager Clark announced that the new Shafer Park Walking Trail is completely paved and ready to use. She stated that the trail was constructed with funding from Program Open Space and the Community Parks and Playground Grant totaling \$154,500, noting that the project came in under budget leaving \$10,917 in funds for amenities, landscaping and/or future projects. Town Manager Clark reviewed that the Town also received \$50,000 in POS funding for the Shafer Park Tot Lot, which will be constructed in the Spring of 2017.
- **Fiscal Year 2018 Requests:** Town Manager Clark provided a 5-year breakdown of the Program Open Space requests for Fiscal Year 2018 through Fiscal Year 2022, for the Council's review and discussion. She stated that the Town plans to request \$80,000 from POS in Fiscal Year 2018, pending Council and Park Board approval, for additional walking and biking trail construction and pedestrian bridges. **(NEW BUSINESS)**

**Fiscal Year 2017 New Position; Request to Advertise Municipal Service Worker:** Town Manager Clark stated, on behalf of Public Works Superintendent Greg Huntsberry, that she is requesting approval to advertise the Fiscal Year 2017 full-time Municipal Service Worker employment position with applications due December 16, 2016. She stated that the new position will be equally funded by the General, Water and Sewer Funds. Council Members Kerns and Bryd asked if creating an additional position is completely necessary at this time and if the work could somehow be contracted out. Town Manager Clark stated that both Superintendent Huntsberry and she agree that this is a much needed position, especially with the lack of assistance from the Washington County Inmate Program, and that contracting daily work flow would not be beneficial. **(NEW BUSINESS)**

**Waste Water Treatment Plant Debt Transfer:** Town Manager Clark stated that she is requesting the transfer of funds from the General Fund to the Waste Water Treatment Plant Construction Account to cover the USDA WWTP Debt Service Loan payment of \$79,501, due November 26, 2016. Town Manager Clark noted that funds are budgeted in the Sewer Fund to pay two (2) loan payments on the WWTP debt this Fiscal Year. **(NEW BUSINESS)**

### **PUBLIC COMMENTS**

**Laura Kirby**, 401 Brookridge Drive, stated that she feels that Town Manager Clark is often showing unnecessary frustration during the Council Meetings and that she should be mindful of her negative reactions.

**Chip Rockwell**, representing Trinity Lutheran Church at 64 South Main Street, stated that the Boonsboro Municipal Utilities Commission has been 'double reading' the Church's water-meter for almost 30 years. He requested that the Town and BMUC offer some kind of consolation for the 30 years of double payments. Town Manager Clark stated that the Church will be receiving a letter from the Town and BMUC very soon.

**Motion** by Council Member Byrd, second by Council Member Schmidt to close the Regular Meeting at 8:25 PM, and moved into **Executive Session**; *as permitted under General Provisions Article, §3-305(b)(1), subsection (i) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation or performance evaluation of appointees, employees or officials over who this public body has jurisdiction.*

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant

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