

**BOONSBORO MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, MARCH 5, 2018**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, March 6, 2018 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard 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.

**REVIEW AND APPROVAL OF FEBRUARY 2018 MEETING MINUTES and REPORTS**

- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the **February 5, 2018 Regular Meeting, the February 12 and 20 Budget Workshop Meetings, the February 26, 2018 Workshop Meeting Minutes and the February 26, 2018 Executive Session Minutes**. Council Member Kerns submitted amendments to the Meeting Minutes. **Motion** carried with amendments made.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Byrd to approve the **February 2018 Treasurers Report**. **Motion** carried.
- **Motion** by Council Member Schmidt, second by Council Member Davis to approve the **February 2018 Bills to be Paid Report**. **Motion** carried.

**CITIZENS COMMENTS**

- **Henry Schmidt**, Boy Scouts Troop 20. Attending Meeting for his *Citizenship in the Community* Merit Badge.
- **Bernard Semler**. Stated that he has deep family roots in Boonsboro. Stated that he is running for the Washington County State's Attorney. Stated that he promises to be involved in the local level government and invited the Mayor and Council to his dinner event on March 8 at 5:00pm in The Press Room at The Herald-Mail Building in Hagerstown.
- **Paul Duenas**, 314 Lanafield Circle. Stated that he believes that the mischaracterizations of the recent Herald-Mail Newspaper article regarding the Town Managers resignation is an embarrassment to the Town, the Council and its residents. Stated that Council Member Kerns and Council Member Byrd were elected by the Town residents to expressly hold the Mayor and Council accountable. Provided a list of examples as to why the Town residents believe that the Council is not running the Town properly which included the following; 3 consecutive Audits in which the Council failed to fold its findings into the fabric of how the Town is run, 3 consecutive Water Rate increases that were not spent on Water Debt Services but were spent on raising the salaries of Town employees, the criticizing of Council Member Kerns when she asks how BMUC funds are spent towards a Sewer Line Replacement RFP and the talking down to Council Member Kerns and Council Member Byrd by Council Member Davis who is an appointed unelected Council Member. Mr. Duenas offered suggestions on how to correct the Town's current issues which included the following; table hiring a Town Planner until resumes are received for the Town Manger and consider hiring one person with qualifications for both positions, take all recommendation from the Budget Advisory Council, seat special sub-Councils (like the Budget Review) to work on overall governance and make the Town more in keeping with the best business practices and include folks with business experience, and overall make Council selections based on their business experience. Mr. Duenas submitted his letter to the Council for the record.
- **Roland England**, 300 North Main Street. Stated that he is disappointed, but not surprised, at the disrespect of government workers. Stated that he hopes that common ground can be reached. Read the *Serenity Prayer*.

**MAYOR AND COUNCIL MEMBER CORRESPONDENCE**

- **Mayor Long** stated that the Washington County Commissioners will hold their annual Meeting on Tuesday, March 13, 2018 at 7:00pm in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building.

**EMPLOYEE RECOGNITION**

Mayor Long presented Town Manager Megan Clark with a Certificate of Appreciation and key to the Town to thank her for her hard work and dedication as the Town Manager and previous Town Planner. Mayor Long stated that Ms. Clark has been with the Town for 10 years and Wednesday, March 14, 2018 will be her last day of work. He thanked Ms. Clark and stated that the Town wishes her well in her future endeavors.

**Police Department Report – Chief Stanford.** The Police Department received 118 calls for service, which included 69 motor vehicle violator contacts for the month of February 2018. There was 1 adult criminal arrest, 0 adult traffic arrests, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 5.1 pounds of prescription drugs through the Drug Turn-In Program for the month of February 2018.

- Chief Stanford stated that newly hired Police Officer Zachary McKoy started work on February 26, 2018 and submitted his resignation on February 27, 2018. He stated that he plans on re-advertising the Police Officer position and may recommend sending a candidate to the Police Academy.

## **NEW BUSINESS**

**Ladies Auxiliary Request; Memorial Day Parade and Service:** Mayor Long stated that the Annual Boonsboro Memorial Day Parade will be held on Sunday, May 27, 2018 with the wreath laying ceremony at 1:00 PM and parade at 2:00 PM sponsored by the Boonsboro American Legion Post 10 Ladies Auxiliary. **Motion** by Council Member Schmidt, second by Council Member Davis to approve the Post 10 Ladies Auxiliary Memorial Day Parade and wreath ceremony on May 27, 2018, with Assistant Mayor Kauffman abstaining, and motion carried 5-1.

**Safety Manual:** Town Manager Clark stated that Waste Water Operator Jeremy Mose presented the Water and Sewer Safety Manual at the Workshop Meeting for the Mayor and Council's review and input. She stated that the Safety Manual was created following OSHA (Occupational Safety and Health Administration) and MOSHA (Maryland Occupational Safety and Health Act) standards. Council Member Byrd stated that Operator Mose did a great job on the Safety Manual. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve and implement the Water and Sewer Safety Manual as presented, and motion carried.

**Shafer Park Tax Revenue:** Town Manager Clark stated that she provided a summary of the Shafer Park Revenue Account for the Mayor and Council's review and input at the Workshop Meeting. She stated that currently the Town is paying the Shafer Park Expansion loan principal payments from the General Fund account and the monthly loan interest payments from the New Park Revenue Fund account, and that she is requesting to use the remaining New Park Revenue Fund account balance to pay the next four loan interest payments and then eliminate that account. She further stated that she is recommending that all Shafer Park Expansion loan payments then be paid from the General Fund account. **Motion** by Council Assistant Mayor Kauffman, second by Member Solberg to approve the closing of the New Park Revenue Fund account after all funds are exhausted, and motion carried.

**Recommendation to Hire Town Planner:** Town Manager Clark stated that the Town Planner/Zoning Administrator full-time position applications and resumes were due on February 22, 2018, and that 6 interviews were conducted with Mayor Long, Planning Commission Member Rob Maricle and herself last week. She stated that based on the best overall Planning and Zoning experience and qualifications, she is recommending the hiring of Andy Beall. She further stated that Mr. Beall is currently the Zoning Officer for the Town of Shepherdstown, West Virginia and has 25 years of experience in the field. **Motion** by Council Member Schmidt, second by Assistant Mayor Kauffman to hire Andy Beall as the Town Planner/Zoning Administrator.

- Council Member Kerns asked why the Town is hiring a Town Planner/Zoning Administrator before they hire a new Town Manager, and suggested that they wait to hire an individual that could perform both jobs. She stated that the resumes were not shared with the Council and that there was no discussion about the position or status of the interviews at the February Workshop Meeting. She further stated that the Town should inquire with the Town of Shepherdstown to see if they would consider sharing a part-time Town Planner/Zoning Administrator. Planning Commission Member Maricle stated that during the interviews, each applicant was asked the same 7 questions, and based on those answers, as well as a few additional discussions, Mayor Long, Town Manger Clark and he feel that Mr. Beall is the most qualified and can immediately pick up where everything in the Town was left off. He stated that Mr. Beall will be a huge asset to the Town and to the new Town Manager when they are hired, noting with the upcoming development and work load, combining the Town Manager, Town Planner and Zoning Administrator positions would be too demanding for one person to handle. Council Member Schmidt stated that the Council does not micro-manage the Police Chief when he recommends the hiring of someone. She stated that she trusts Planning Commission Member Maricle decision and stands by her motion.

Mayor Long called for a **Roll-Call Vote:**

- Council Member Davis – yes
- Council Member Kerns – no
- Council Member Schmidt - yes
- Assistant Mayor Kauffman - yes

- Council Member Solberg – yes
- Council Member Byrd - yes

**Motion** carried 5-1.

**Recommendation to Hire Interim Town Manager:** Town Manager Clark stated that the Town Manager position has been advertised with applications and resumes due on March 9, 2018, and that her last day of work will be on March 14, 2018. She stated that after much discussion with the Personnel Commission, she is recommending the hiring of Bruce Zimmerman as the Interim Town Manager until a permanent Town Manager is hired. She stated that Mr. Zimmerman retired as the City Administrator for the City of Hagerstown in 2015 and has over 30 years of experience in Town Management. She further stated that he has a Master's Degree in Public Administration and a Bachelor's of Science Degree in Public Affairs. Town Manager Clark stated that Mr. Zimmerman has agreed to stay on with the Town until a Town Manager is hired, and that he can begin work on Wednesday, March 7, 2018. **Motion** by Assistant Mayor Kauffman, second by Council Member Davis to hire Bruce Zimmerman as the Interim Town Manager.

Mayor Long called for a **Roll-Call Vote:**

- Council Member Byrd – yes
- Council Member Solberg - yes
- Assistant Mayor Kauffman - yes
- Council Member Schmidt – yes
- Council Member Kerns - yes
- Council Member Davis - yes

**Motion** carried.

## COMMISSION REPORTS

**Public Safety Commission – R. Byrd.** Meeting held on February 15, 2018. Discussions included the status of the SHA speed limit change through Town, preliminary talks about National Night Out, safety procedures at the School Complex, the suggestion to hold a CPR event, the plans to contact the Board of Education about a solar speed camera being placed on Mapleville Road near the School Complex and the vacancies on the PSC.

**Park Board –M. Kerns.** Meeting held on February 28, 2018. Discussions included plans for the Community Parks and Playground Grant, the Park Boards Fiscal Year 2019 Budget, the Wagon Trail event funding update and the approval to donate funds up-to \$250 to the event, the Arbor Day/Park Clean-Up event on April 22, 2018 and the Tree Board updates.

- Motion by Council Member Kerns, second by Council Member Solberg to donate \$100 from the General Fund 'Donation' Budget, and motion carried.

**Utilities Commission – T. Davis.** Meeting held on February 8, 2018. Discussions included the approval to cash out the \$102,403 Sewer Fund CD and deposit those funds in to the Sewer Fund User Fees account to covers costs incurred by the Sewer Main Replacement Project and to \$122,884 Water Fund CD and deposit those funds in to the Water Fund User Fees account to pay off the Maple Avenue Water Line Loan with BB&T Bank in the amount of \$111,962, the approval to recommend the final draft of the Town of Boonsboro Employee Health and Safety Handbook to the Mayor and Council, the Fiscal Year 2018 Mid-Year Financial Review and the Fiscal Year 2019 Water and Sewer Fund Budgets.

**Planning Commission –J. Solberg.** Meeting held on February 27, 2018. Discussions included the Concept Plan review for the High's Convenience Store on the Easterday property, an update on the status of development on the Town annexed properties and the Adequate Public Facilities Ordinance for school capacity.

**Economic Development Commission –C. Kauffman.** Meeting held on February 28, 2018. Discussions included the Spring Rack cards, updates on the First Saturday project, the collaboration with the old 225<sup>th</sup> Anniversary Committee to expand community activities throughout the year, the USA Cycling Amateur Road Championships in July and the sponsorship goal of \$2,500, the approval to donate \$500 towards the USA Cycling sponsorship, the Fiscal Year 2018 Mid-Year Financial Review and the proposed Fiscal Year 2019 Budget, the recommendation to renew George Messner's membership with the EDC for an additional 3-year term and the appointment of Terri Packard as the Vice Chairperson. The next Networking Breakfast will be held on March 16, 2018 at 7:30am at Vesta's Restaurant, with guest speaker Kathryn Gratton. The next EDC Meeting will be held on April 25, 2018 in the Meeting Chambers at 9:00am.

- Council Member Kerns asked if there has been any luck with finding additional Municipal parking areas in Town. Council suggested that the EDC and Public Safety Commission hold a joint meeting to discuss possible parking locations.

**Environmental Commission – B. Schmidt.** Meeting held on February 13, 2018. Discussions included the plans to tour the Apple Valley Waste Recycling Plant, the plans to apply for the Urban and Community Forest Grant, the Fiscal Year 2018 Mid-Year Financial Review and the approval to reduce the BEC Special Project Budget by \$1,000 and the Miscellaneous Expense Budget by \$100 for Fiscal Year 2019, the review of the 2017 Annual BEC Report and Subcommittee Reports.

- Stated that the 2018 Farmer's Market Vendor Meeting was held on February 22 and that the BEC is looking for a new Farmer's Market Manager.
- Stated that Apple Valley Waste will no longer be accepting 'glass' for recycling beginning with the new contract on July 1, 2018. Stated that there simply is no market for it right now. Stated that the BEC plans to send out a flyer with the June Utility billing mailing explaining the change and ways to use less glass.

**Town Manager Report – M. Clark.**

- Stated that the Program Open Space Grant has been submitted for two projects totaling \$110,000.
- Stated that she is preparing to submit the ARC Grant Fund requests, including Phase I of Warrior Boulevard in conjunction with King Road Development plans and that the Grant is due on April 5, 2018.

**Motion** by Council Member Schmidt, second by Council Member Davis to adjourn the Regular Meeting at 8:45pm, and motion carried.

Respectfully submitted,  
Kimberly A. Miller, *Administrative Assistant*

**BOONSBORO MAYOR & COUNCIL**  
**WEDNESDAY, MARCH 7, 2018**  
**BUDGET WORKSHOP MEETING**

The Mayor and Council held a Budget Workshop Meeting on Wednesday, March 7, 2018 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to discuss the Fiscal Year 2019 General Fund Budget. 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, Police Chief Charles Stanford, and Interim Town Manager Bruce Zimmerman. The meeting convened at 5:00 PM.

**FY2019 General Fund Budget:** Town Manager Clark presented the FY2019 General Fund Budget. She stated the estimates had been revised since previously discussed in order to incorporate Commission recommendations. Most Commissions recommended slight decreases in their overall budgets. Police Chief Stanford presented the proposed police budget, totaling \$27,056 in increases. With the proposed changes to the budget, \$48,702 would remain in contingency. The Council discussed the potential need for engineering services in the future and agreed to increase the engineering fee expense to \$5,000. The Council also discussed the impact to tipping fees since glass is no longer able to be collected for recycling. Since the FY19 Sanitation contract is approximately \$6,000 less than FY18's contract, the Council agreed the savings would probably cover the cost of additional tipping fees from the weight of the glass. The Council discussed the salary allocations between the general, water, and sewer funds. The Council agreed for the general fund to pay 2/3 instead of the 1/3 of the Town Clerk and the Administrative Assistant's salary and would incorporate those figures into the administrative expenses.

Motion by Council Member Byrd, second by Council Member Davis to close the meeting at 5:53pm. Motion carried.

Respectfully submitted,

Megan Clark  
Town Manager

**BOONSBORO MAYOR AND COUNCIL  
BUDGET WORKSESSION MINUTES  
WEDNESDAY, MARCH 14, 2018**

The Mayor and Council of Boonsboro held this Budget Worksession on Wednesday, March 19, 2018 in the meeting chambers of the Charles F. Skip Kauffman Building. In attendance were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Janeen Solberg, Brigitte Schmidt, Rick Byrd, Marilee Kerns, and Terry Davis. Also present were Interim Town Manager, Bruce Zimmerman, and BMUC President, Paul Loeber and BMUC Secretary, Ernie Harr.

The meeting convened at 5:00 PM.

The Mayor and Council approved a motion to convene into Executive Session Per Section 3-305 (1) (i) to discuss the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of an appointee, employee, or official over whom it has jurisdiction. This Executive Session was convened for the purpose of discussing the applications received for the Town Manager Position. Mr. Loeber and Mr. Harr were not present for the executive session.

The public budget worksession reconvened at 5:20.

**Mayor and Council Review of FY 19 Water and Sewer Fund Budgets with BMUC**

The Mayor and Council then met with Mr. Loeber and Mr. Harr for the purpose of reviewing the BMUC's proposed FY 19 Water and Sewer Fund Budgets and five year rate schedule for FY1019/2023.

The meeting packet documents included a proposed water fund budget, a proposed sewer fund budget, and a recommended five year rate schedule. The Mayor and Council reviewed and discussed this information with the BMUC representatives. During the course of this discussion, there was extensive focus on the potential of implementing a Volute De-watering Press capital improvement project in the Town's sewer operation. An initial project estimate is \$700,000 - \$1,000,000 with the potential of approximately \$70,000 in operational cost savings per year. The BMUC expressed that additional Sewer Fund Debt is not a viable option, but that this project has merit for further consideration as a capital improvement to occur at some point following FY 19. There was some discussion of using a design build approach on this project and general interest from the Mayor and Council to continue to flesh out further details and plans on this project. Mr. Loeber indicated he would return with additional information on the estimated cost of the volute press project.

It was noted that there is currently no General Fund subsidy of the Water and Sewer Fund debt service.

Staff was asked to clarify what is included in the \$559,472.59 amount appearing in the February 28, 2018 Treasurer's Report for the WWTP Debt Service Account. This amount has generally been approximately \$107,000 in the past.

Mr. Harr clarified that the BMUC is recommending Mayor and Council approval of both proposed budgets along with the five year rate schedule. There was some discussion on the merits of forgiving the General Fund loan for the WWTP Project. It was agreed that this should be considered by the Mayor and Council at a future worksession.

It was also suggested that an engineering study to further pin down costs and issues related to the Volute Press Project could be beneficial, with the idea that the study would be undertaken in the first quarter of next year. This will be part of the future consideration of this project.

The Mayor and Council have a worksession scheduled on March 19<sup>th</sup> for further consideration of the FY 19 Water and Sewer Fund Budgets and the rate schedule.

There being no further business this worksession was adjourned at 6:25 PM.

Respectfully submitted,

Bruce Zimmerman  
Interim Town Manager

**BOONSBORO MAYOR & COUNCIL**  
**MONDAY, MARCH 19, 2018**  
**WORKSHOP MEETING**

The Mayor and Council held their Workshop Meeting on Monday, March 19, 2018 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, April 2, 2018. Present were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Brigitte Schmidt, Marilee Kerns, Rick Byrd and Terry Davis. Also present were Interim Town Manager Bruce Zimmerman and Administrative Assistant Kimberly Miller. Council Members Janeen Solberg and Police Chief Charles Stanford were absent. The meeting convened at 7:00 PM.

**National Road Heritage Foundation Lease Agreement; Request for 15 Year Lease:** George Messner, representing the National Road Heritage Foundation, presented the request for an extension of the 10 year Lease Agreements for the National Road Museum (Warrenfeltz Building), located at 214 North Main Street, and the Boonsboro Trolley Station Museum, located at 220 North Main Street, to 15 year Lease Agreements. He stated that the current Lease Agreements for the building are for 10 years and were renewed for the time period of 2014 to 2024, noting that the request would extend that time period to 2029. He further stated that grants from Preservation Maryland and most grants on the State, National and National Foundation level, as well as the private sector, are requiring long term lease agreements with a minimum of 15 years. Council discussed the grant-matching that is conducted with the funds provided from the Town's annual \$15,000 donation to the National Road Heritage Foundation, funded through the Town's Hotel/Motel Tax Revenue Fund. Council Member Kerns stated that she would like to see the Foundations projected Grants and cash flow balances. Mr. Messner concluded by stating that by extending the Lease Agreements it will assure a long term investment with the State of Maryland's vested interest. Interim Town Manager Zimmerman will revise the current National Road Heritage Foundation Lease Agreements for the April Regular Meeting. **(NEW BUSINESS)**

**2018 Mowing Contract Bids:** Interim Town Manager Zimmerman stated that six (6) bids were opened on Wednesday, March 14, 2018 for the Mowing Contract for the season from April through November 2018. He presented the bids for the Councils review and input. Mayor Long stated that Attorney Wantz is reviewing a legal matter with one of the bids and that he will email the Council before the April Regular Meeting with an update. He stated that references will be checked for the three (3) lowest submitted bids. **(NEW BUSINESS)**

**Ordinance 2018-02; Fiscal Year 2019 Budgets:** Interim Town Manager Zimmerman provided the draft of Ordinance 2018-02; Fiscal Year 2019 Budgets for the Councils review and input. He stated that no changes have been made to the Budget as presented at the March 14, 2018 Budget Workshop Meeting. He further stated that the *Introduction of Ordinance 2018-02; Fiscal Year 2019 Budgets* will be scheduled for the April Regular Meeting with the Public Hearing scheduled for 6:30pm on April 30, 2018 before the Workshop Meeting. Council Member Kerns pointed out that the General Fund Capital Improvement amount for the purchase of the Utility Truck, Town Tree Trimming and Skid-loader should total \$77,500 rather than \$76,500 and that the Election Operating Expense amount of \$1,000 should be removed, which would balance the Budget. Council Member Kerns made the recommendation to remove the BMUC's 5-year Fiscal Year 2019 to 2023 Water and Sewer Rate schedule from Ordinance 2018-02 and present it as a 'projected' Rate schedule. Council Member Byrd agreed and stated that the 5-year Water and Sewer Rates are an acceptable projection of the proposed future increases and should be voted on as a separate Resolution so that they are not set in stone in Ordinance 2018-02. Council agreed with the recommendations. Consensus is to move forward with the Introduction of Ordinance 2018-02 at the April Regular Meeting. Mayor Long stated that based on the consensus, the March 29, 2018 Budget Workshop Meeting will be cancelled. **(NEW BUSINESS)**

Mayor Long stated that the next Washington County Chapter of the Maryland Municipal League will hold their next meeting on March 26, 2018 in Hancock, Maryland.

Mayor Long stated that he and Interim Town Manager Zimmerman will be attending a Washington County Transit Meeting with Jim Hovis regarding the County Commuter Transit bus coming to Boonsboro.

Assistant Mayor Kauffman stated that the Economic Development Commissions Spring Rack Cards have arrived and will be distributed throughout Town and in the next Utilities bill mailing.

**Motion** by Council Member Schmidt, second by Council Member Byrd to close the Workshop Meeting at 7:32PM and move into **Executive Session** as permitted under General Provisions Article, §3-305(b)(1), subsection (i) to discuss the appointment,

*employments, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction and Article §3-305 (b)(8), (8) to consult with staff, consultants, or other individuals about pending or potential litigation.*

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant