

**BOONSBORO MAYOR AND COUNCIL  
REGULAR MEETING MINUTES  
MONDAY, JULY 3, 2017**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, July 3, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building. In attendance were Mayor Howard Long, Assistant Mayor Cynthia Kauffman, Council Members Brigitte Schmidt, Rick Byrd, Marilee Kerns and Terry Davis. Also present were Town Manager Megan Clark, Police Officer Anthony LoRusso and Administrative Assistant Kimberly Miller. Council Member Janeen Solberg was absent. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

**APPROVAL OF JULY 2017 REGULAR MEETING AGENDA**

Mayor Long requested the approval of the July 2017 Meeting Agenda. **Motion** by Council Member Schmidt, second by Assistant Mayor Kauffman to approve the **July 3, 2017 Regular Meeting Agenda**, with Council Member Kerns opposing, and motion carried 4-1.

- Council Member Kerns asked if the forming of the Budget Task Force will be discussed during the Meeting. Mayor Long stated that it is not on the Agenda.

**REVIEW AND APPROVAL OF JUNE 2017 MEETING MINUTES and REPORTS**

- **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve the **June 2017 Regular Meeting, Public Hearing Meetings** and the **Workshop Meeting Minutes**, and motion carried.
- **Motion** by Council Member Davis, second by Council Member Schmidt to approve the **June 2017 Treasurers Report**, and motion carried.
- **Motion** by Council Member Schmidt, second by Council Member Davis to approve the **June 2017 Bills to be Paid Report**, and motion carried.
  - Council Member Kerns asked if there is any way that the Town can reduce the monthly mowing cost.
  - Council Member Byrd asked if the Town is charging the Boonsboro Rescue Company for labor for the Public Works crew clean-up of Shafer Park. Town Manager Clark stated that this is the second year that the Town entered into a MOU with the Rescue Company and it does not include labor costs.

**GUEST**

**Community Foundation of Washington County Grant: Kristy Smith, Community Foundation of Washington County.** Ms. Smith introduced herself as the Director of Grants and Donor Relations and Brad Sell as the Executive Director of the Community Foundation of Washington County. Ms. Smith stated that the Foundation is beginning a \$1,500 Municipal Grant Program in Boonsboro and that community and non-profit groups inside the Town limits are welcome to apply. She stated that she is asking for the Town's assistance in advertising the application and also in the selection process of awarding the Grant. She further stated that the online application is 'live' on the Community Foundation of Washington County's website and that applications are due by August 31, 2107.

**CITIZENS COMMENTS**

- **Stu Mullendore**, 3 Maple Avenue. Mr. Mullendore stated that there needs to be a monitoring of the water consumption of the Town and the establishment of a cost per gallon for water. Stated that he noticed the constant watering of the fields at Boonsboro High School and asked if the Town is subsidizing the watering for the Board of Education, noting that it has to be using millions of gallons of water. Asked what the cost is to water the BHS fields every other day? Mayor Long stated that he is 99% sure that a separate water meter is being used for the sprinklers, and that they are being charged for water but not sewer for the fields. Mr. Mullendore asked if it would be cheaper to dig a well to supply water for watering the fields.
- **Marilee Kerns**, 5 Stouffer Avenue. Mrs. Kerns stated that she signed up again because she will not be able to speak otherwise. She stated that there has not been adequate time spent on the Bond Refinancing item, noting that she sent out an email to the Mayor and Council which was not reviewed. Stated that the Town should use CDs and other investments to pay down the loan rather than refinancing it. Stated that this would bring down the balance of the loan and make payments more manageable. Stated that the Town is sitting on Reserves that could be used, saving 2% off of the cost of the loan. Asked if the Town can get a commitment from the Delegates to help with paying the loan.
- **Ginger Bigelow**, 138 Lakin Avenue. Mrs. Bigelow thanked the Council for posting the Agenda on the Town website. Asked for the Council to further review the Code Enforcement Officer Ordinance, noting that she did not realize that the Council had

made this a permanent position. Asked if the Code Enforcement Officer will be investigating complaints from citizens or looking for violations, and if he has any background in law enforcement. Asked how many hours per week the individual is working. Town Manager Clark stated that Mr. Kinna has a background as a Corrections Officer and he is working 25 to 30 hours per pay period. Mrs. Bigelow suggested having the Police write violations for untagged vehicles and have the Town staff look for tall grass issues. She asked where the violation fees that are collected will go. Mrs. Bigelow stated that when she walks her dog in Shafer Park she sees the Maintenance guys standing around, noting that they are good guys but seem to lack work supervision.

- **Frances Lynch**, 4 Schoolhouse Court. Ms. Lynch stated that she loves the Military Banners around Town. She stated that she appreciates the 'do not pour grease in the drains' section in the Town Newsletter the past two quarters, noting that hair and cleaning wipes are also a huge sewer clogging issue. Stated that the people at Crawford's Confectionary were wondering why the Independence Day Celebration fireworks only lasted 17 minutes. Mayor Long stated that he asked the fireworks shooter to set them off fast and to keep the sky lit up.
- **Ginger Bigelow**, 138 Lakin Avenue. Mrs. Bigelow asked how much the fireworks cost the Town. Mayor Long stated that the cost is around \$6,000. Mrs. Bigelow stated that it is a wonderful event.

## **MAYOR AND COUNCIL MEMBER CORRESPONDENCE**

- **Council Member Schmidt** thanked the 225<sup>th</sup> Town Anniversary Committee for the baseball game event at the Hagerstown Sun's Municipal Stadium.
- **Council Member Schmidt** stated that she attended the MML Convention in Ocean City and was sworn-in as the District Vice President for the Washington County Chapter of the MML by the Governor. Stated that she took part in many global issue seminars and learned a lot about the positive effects of having a Code Enforcement Officer for reducing blighted properties. Stated that Town Clerk Sarah Campbell will be hosting the MML Clerks Association Meeting in September at the Community Center. Shared information with the Police Department about building community involvement. Stated that she attended a seminar about Water issues and shared the idea of installing separate water meters for residents who water their gardens a lot or fill their swimming pools so that they are not charged Sewer fees. Stated that she received updates on the Open Meeting Act.
- **Assistant Mayor Kauffman** stated that the 225<sup>th</sup> Town Anniversary Committee has many items for sale such as hats, t-shirts, coffee mugs, wine glasses and pewter ornaments. Thanked the Hagerstown CVB for covering all of the printing costs and banners for the events and for the Sun's game funding.
- **Council Member Schmidt** thanked George and Vickie Messner for the help and dedication at the MML Convention Maryland Main Street event and for promoting the Town.
- **Mayor Long** stated that he also attended the MML Convention in Ocean City and took part in the Secretary Roundtable event.
  - Mayor Long presented the Town with the plaque for the 7<sup>th</sup> year of being a MML Banner City.

**Police Department Report – Officer LoRusso.** The Police Department received 181 calls for service, which included 226 motor vehicle violator contacts for the month of June 2017. There was 1 adult criminal arrests for a Frederick County warrant, 0 adult traffic arrests, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 13.9 pounds of prescription drugs through the Drug Turn-In Program for the month of June 2017.

## **NEW BUSINESS**

**Ordinance 2017-03; Floodplain Ordinance:** Town Manager Clark presented Ordinance 2017-03; *Floodplain Ordinance*. She stated that FEMA has updated the 1991 floodplain maps and that the Town is required to adopt the Ordinance before the August 15, 2017 Federal effective date, noting that Washington County adopted the Floodplain Ordinance on May 16, 2017.

**Motion** by Assistant Mayor Kauffman, second by Council Member Davis to approve Ordinance 2017-03; *Floodplain Ordinance*, and motion carried.

**Resolution 2017-01; Floodplain Delegation of Authority to Washington County:** Town Manager Clark presented Resolution 2017-01; *Washington County Authority of Floodplain Ordinance* in conjunction with Ordinance 2017-03; *Floodplain Ordinance Update*, which provides enforcement authority of the Floodplain Ordinance to Washington County. **Motion** by Assistant Mayor Kauffman, second by Council Member Schmidt to approve Resolution 2017-01; *Washington County Authority of Floodplain*, and motion carried.

**Resolution 2017-02; Appointment of Municipal Infraction Enforcement Officer:** Town Manager Clark presented Resolution 2017-02; *Appointment of Municipal Infraction Enforcement Officer*. She stated the purpose of this Resolution is in case a Property Maintenance Code violation would make its way to court, Michael Kinna, the Town's Property Maintenance Code and Zoning Administrator, would represent the Town as the Municipal Infraction Enforcement Officer. Town resident Christy Weaver, 8 Knode Circle, spoke up and asked why the Town Attorney can't do this. Town Manager Clark stated that, if needed, Mr. Kinna would be the court 'witness' for the Town and represented by Attorney Wantz. Council Member Kerns stated that at the April Meeting the motion was made to hire the Property Maintenance Code and Zoning Administrator as a temporary position which would be reviewed after a 90 day probation. She stated that the Resolution should be tabled until the Personnel Committee decides if the position will be made permanent. She further stated that the Council should be receiving monthly Property Maintenance Code Reports, much like the Police Department Reports. Council Member Byrd requested that Mr. Kinna attend Meetings to provide his Report. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to approve Resolution 2017-02; *Appointment of Municipal Infraction Enforcement Officer*.

Mayor Long called for a Roll-Call Vote:

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

**Motion** carried 3-2.

**Cultural Trail Committee:** Town Manager Clark reviewed that Dan Spedden, of the Washington County CVB, attended the June Regular Meeting and presented the proposed plans to create a 2-mile cultural hiking trail from the Town Square to the Washington Monument to help the Town reconnect with the heritage of the Monument. She stated that Mr. Spedden announced that \$80,000 is needed for the Cultural Trail Feasibility Study, that a grant has already been received for \$40,000 and that he proposed that a 4-person Cultural Trail Committee be established, which should be comprised of someone from the 225<sup>th</sup> Town Anniversary Committee and a Boonsboro Council Member, to apply for the additional \$40,000 grant. Town Manager Clark asked if anyone from the Mayor and Council would be willing to be part of the Cultural Trail Committee. Mayor Long stated that he will volunteer.

## COMMISSION REPORTS

**Public Safety Commission** – *R. Byrd*. Meeting held on June 15, 2017. Several Knode Circle residents attended the meeting to discuss the speeding and traffic issues in their neighborhood. Discussions included the Maryland State Highway Administration Report recommendations, plans for National Night Out, plans to follow-up with the Park Board on the request to have handicapped parking available near Shafer Park during all Town events, and the issue with blinking traffic lights in the Town Square and Chase Six Boulevard after 10pm.

**Park Board** – *M. Kerns*. Meeting held on June 28, 2017. The Park Board met to decorate the Park for the Independence Day Celebration. Discussions included information from the Town Manager that a POS Funding was obtained to fund the next section of the Park Walking Trail, and plans to hold a Summer Movie Night on August 12 and a 'ribbon cutting' ceremony at the King Farm Playground before the movie.

**Utilities Commission** – *T. Davis*. Meeting held on June 8, 2017. Approval was made to keep the current BMUC Officers for the upcoming Fiscal Year. Discussions included an update on the Well #8 evaluation and the approval to spend up to \$20,000 to correct the air issue, the review of the BMUC Policy for Reserve Spending, the approval of the Water and Sewer Rates FAQ sheet and Town Reports.

**Planning Commission** – *M. Clark*. No meetings were held during the month of June 2017.

**Economic Development Commission** – *C. Kauffman*. Meeting held on June 21, 2017. Discussions included the 225<sup>th</sup> Anniversary Events and advertising, the Pass It On Project, an update on the Farmer's Market, plans for the MML Convention in Ocean City, a review of the FY17 EDC Budget, plans for Boonsboro to host the 2018 USA Cycling National Amateur Championships in Shafer Park with the Washington County CVB, and the search for grants through Preservation Maryland. The next Networking Breakfast will be held on July 11, 2017 at 7:30am at Vesta's Restaurant, with guest speaker Audrey Vargason from the CVB. The next EDC meeting will be held on August 23, 2017 at 9am in the Meeting Chambers.

**Environmental Commission – M. Clark.** Meeting held on June 13, 2017. Before the meeting the BEC Members visited the Monarch Waystation at Shafer Park and had a presentation by Boy Scout Lucas Stauffer about his Eagle Scout Project. Meeting discussions included the Farmers Market, the Sustainable Maryland Certified Recertification and the Subcommittee Reports.

**Town Manager Report – M. Clark.**

- Stated that Town Manager Megan Clark, Town Clerk Sarah Campbell, Water/Sewer Clerk Cindy Harris, Administrative Assistant Kim Miller, BMUC Treasurer Eric Kitchen and General Fund Treasurer Janeen Solberg have all been bonded through Tidewater Insurance Associates, Inc. and all Town employees, Council and appointed are included in the LGIT Commercial Liability Coverage
- Stated that the Town received notice that we are receiving \$60,000 in Program Open Space Funding to complete Phase III of the Shafer Park Walking Trail
- Stated that the Town received and submitted the Application for Refund of the MDE Loan for the WWTP

**Stu Mullendore**, 3 Maple Avenue, requested that the Mayor and Council consider equal representation on the Budget Task Force of 3 Council representatives – 3 BMUC representatives – 3 citizen representatives. Mayor Long stated that he will take that into consideration.

**Motion** by Assistant Mayor Kauffman, second by Council Member Davis to close the Regular Meeting at 9:00pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant

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**BOONSBORO MAYOR & COUNCIL**  
**MONDAY, JULY 31, 2017**  
**WORKSHOP MEETING**

The Mayor and Council held their Workshop Meeting on Monday, July 31, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Monday, August 7, 2017. 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 Engineer Brian Hopkins, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM.

**Solar Analysis:** Town Engineer Hopkins presented the first year Solar Analysis for the Councils review and input. He stated that the report includes the time period of July 2015 through June 2016 before the solar array was online and the time period of July 2016 through June 2017 after the solar array was online for usage and cost comparisons. He further stated that the solar array provides service to the almost all of the facilities in Town. Council Member Kerns asked if the rates will always increase 2% each year. Town Engineer Hopkins stated that yes, rates will increase 2% every year, noting that this was the first year of the 25-year agreement.

	July 2015 - June2016 (before solar)	July2016 - June2017 (after solar)
General Fund - kwh	140,655	152,785
General Fund - \$	\$16,835	\$17,505
Sewer Fund -kwh	898,991	886,703
Sewer Fund -\$	\$88,984	\$86,270
Water Fund -kwh	267,539	205,990
Water Fund -\$	\$24,383	\$18,647
KwH Total	1,307,185	1,245,478
Cost \$	\$130,202	\$122,422
\$/KWh	\$0.0996	\$0.0983

**Budget Task Force:** Mayor Long stated that 8 applications were received from citizen who are interested in being part of the newly formed Budget Task Force. He stated that he has reviewed the applications and will be announcing his appointments at the August Regular Meeting. He further stated that the applicants are Roland England, Robert Scofield, Rick Beall, George Messner, Stu Mullendore, Ricky Weaver, Robert Sweeney and Tony Nally.

**Police Vehicles:** Police Chief Stanford provided an update on the Police Department vehicle fleet. He stated that the Department current has 7 vehicles and 2 spare vehicles, noting that they recently received the 2010 Ford Crown Victoria from the Sheriff's Office and that it is street ready except for needing a radio. He stated that the 2006 Ford Escape, which was used as the canine vehicle, and the 1999 Ford Crown Victoria will be decommissioned very soon and removed from the fleet. Council Member Kerns asked if the decommissioned vehicle will be placed out for bids. Chief Stanford stated that the vehicles can be sold in 'as-is' condition after the decals are removed.

Mayor Long stated that a Joint Meeting has been scheduled with the Boonsboro Municipal Utilities Commission and the Planning Commission before the BMUC Meeting on Thursday, August 10, 2017 at 6:30PM. He stated that the Boonsboro Comprehensive Plan will be reviewed at that meeting.

Council Member Solberg stated that the Green Fest Committee donated \$1,200 to Friends of Shafer Park again this year. She stated that they were also able to reimburse \$1,000 to the Town to cover all of the expenses that were incurred during the event. She further stated that they are looking forward to the 10<sup>th</sup> annual Green Fest which will be held on May 19, 2018.

Assistant Mayor Kauffman stated that the 225<sup>th</sup> Anniversary Committee will be hosting the Town Birthday Party on the 225<sup>th</sup> day of the year, July 13, at 2:25pm in Shafer Park. She stated that other upcoming events include the Historic Play by the

Barbara Ingram School for the Performing Arts on September 16 at the Bowman House and the 2.25 Mile Road Race on September 23 in Shafer Park. She further stated that on October 15, from 1pm to 5pm, the Boonsboro Historical Society will host a *Pass It On* event to scan pre-1970's historical photos and documents of Boonsboro buildings, scenes and families to preserve these important artifacts for educational purposes at the Hospice Community Life Center at 28 North Main Street.

## CITIZENS COMMENTS

- **Dale Ford**, 6113 Appletown Road, owns 37 South Main Street and 7841 Old National Pike. Mr. Ford stated that he wanted to introduce himself to the Council before the August 10 Joint Meeting with the Utilities Commission and Planning Commission. He stated that he is trying to tie his property at 7841 Old National Pike into the Town's water system, noting that Washington County Health Department condemned all of the wells around him in 2009 and he is not permitted to drill a new well. He further stated that in 2009 the Town was mandated to extend its water system out to Millpoint Road in order to provide clean water to those properties who could no longer use their well water. Mr. Ford stated that in 1979 his family was the 1<sup>st</sup> farm to join the Maryland Agricultural Land Preservation Foundation (MALPF) to secure the safety of their 176 acre farm, and all he is asking for is the use of the 3 available taps to connect 3 prospective homes to the Towns system so that his family can continue to live on their land and not rely on the old 30 foot hand-dug well. He stated that it is his understanding that the Mayor and Council have no say in the BMUC's final decision.
  - Council Member Kerns stated that it is her understanding that the Town cannot provide water taps outside of the Town's growth area and that Mr. Ford is requesting an exception to this. Mr. Ford stated that when the water line was extended, he did not think ahead and request taps. Council Member Kerns stated that the previous tap exception was due to Washington County ruling it as an emergency safety issue.
  - Town Engineer Hopkins stated that adding the taps is not consistent with the Boonsboro Comprehensive Plan, noting that the only exception was due to an emergency public safety situation. He stated that the Town has an Appropriation Permit with a set recharge area that they have to adhere to.

Mr. Ford stated that he is concerned that his request will only be discussed in Executive Session and he will have no chance to speak his case during the Joint Meeting on August 10.

- Council Member Byrd stated that it is his understanding regarding the Information Act that Executive Sessions can only be called if it is pertaining to an employee or disciplinary actions, and that the Town could be breaking the law. Mayor Long stated that an Executive Session can be called to consult with Legal Counsel, which is the case with this item at the BMUC Meeting.
- **Ernie Harr**, 113 Grove Lane. Mr. Harr presented his thoughts for the newly formed Budget Task Force for the Mayor and Councils consideration. He stated that rules, guidelines, regulations and responsibilities need to be established for the Task Force, and that nothing has been defined or written down as by-laws. He stated that the Council needs to establish the role of the general public Task Force members, noting that they should be there only for discussion items and not permitted to have a vote. He urged the Mayor to selected people that would represent the general community. Mayor Long stated that the Task Force will not have the ability to vote on or approve the Budget, that they are an advisory group who will be reviewing the Budgets and rates.

**Mayor Long** closed the Workshop Meeting at 7:50PM.

Respectfully submitted,

Kimberly A. Miller  
Administrative Assistant

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