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 is 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 225th 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 is 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 225th 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 is Ocean City and took part in the Secretary Roundtable event. Stated that he met with Secretary Grubb regarding the MDE Debt relief. Stated that he also spoke with the Governor.
    - Presented the Town with the plaque for the 7th 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 Schmidt, 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 225th 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 Manger 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 225th 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

Rick Beall, 104 Della Lane, 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 10th annual Green Fest which will be held on May 19, 2018.

Assistant Mayor Kauffman stated that the 225th Anniversary Committee will be hosting the Town Birthday Party on the 225th 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 1st 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 it if is pertaining to an employee or disciplinary actions, and that the Town could be in violation of 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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BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
MONDAY, AUGUST 7, 2017

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, August 7, 2017 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 Engineer Brain Hopkins, Police Chief Charles Stanford and Administrative Assistant Kimberly Miller. Town Manager Megan Clark was absent. The meeting convened at 7:00 PM with the pledge and the invocation offered by Mayor Long.

APPROVAL OF AUGUST 2017 REGULAR MEETING AGENDA

Mayor Long requested the approval of the August 2017 Regular Meeting Agenda. Council Member Solberg made the request to add the *BMUC Water and Sewer Rate Schedule Recommendation* and the *Fiscal Year 2018 Budget* under Old Business. Council Member Schmidt stated that no information was given for the requested Agenda items prior to the Meeting. Council Member Kerns stated that these items should not be brought up again for discussion and that no information was given to the Council. Mayor Long read a letter from Town Attorney Wantz regarding adopting an interim Budget, noting that an interim Budget is not supported by the Town Charter and that the Town is in violation by adopting a previous Fiscal Year Budget. Mayor Long stated that there are no provisions that authorize the Council to pass an interim Budget.
Mayor Long called for a **Roll-Call Vote** for the approval of the August 2017 Regular Meeting Agenda:

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

Motion tied. Mayor Long voted yes.
Motion carried 4-3

REVIEW AND APPROVAL OF JULY 2017 MEETING MINUTES and REPORTS

- **Motion** by Council Member Kerns, second by Council Member Schmidt to *not approve* the **July 2017 Regular Meeting** and the **Workshop Meeting Minutes** until all amendments have been made, with Assistant Mayor Kauffman voting nah and Council Member Solberg abstaining, and motion carried 4-2.
- **Motion** by Assistant Mayor Kauffman, second by Council Member Davis to approve the **July 2017 Treasurers Report** with Council Member Kerns voting nah, and motion carried 5-1.
    - Council Member Kerns asked if the Treasurers Report includes outstanding checks or if it is just the bank balances.
- **Motion** by Council Member Schmidt, second by Council Member Davis to approve the **July 2017 Bills to be Paid Report** with Council Member Kerns voting nah, and motion carried 5-1.
    - Council Member Kerns stated that the Cronise Corporation invoice should have been held until the Meeting for approval. She also stated that the Maryland Municipal League 2017-2018 Membership Dues exceed the Fiscal Year 2017 budgeted limit and are in violation.

CITIZENS COMMENTS

- **Barinda Golden**, 143 South Main Street. Stated that the mirror at Center Street and St. Paul Street is unsafe and that Center Street needs to be made 1-way from the Town parking lot to St. Paul Street. Stated that Mary Blickenstaff should be honored by the Town for a job well done in the community. Thanked everyone for being on the Town Council. Commended Chief Stanford on a good job, and asked how the Police Department handles the arrest of a lady if they do not have any female Officers. Chief Stanford stated that females are taken to Washington County booking for their pat-down.
- **Rick Byrd**, 110 St. Paul Street. Stated that he reviewed the Town Charter, Article 4, Section 401, (9) *Boards, Commissions and Committees*. Asked where he is missing the part where the Council appoints someone to a Task Force.
    - Mayor Long stated that the Task Force is not a Commission/Board and will not be a paid position, therefore the Mayor has the right to appoint the members.

- **Roland England,** 300 North Main Street. Stated that there is a cat problem at Shafer Park and that Council should talk to Superintendent Huntsberry about it. Stated that there is also a problem with geese around the Town Pond, noting that it looks like a sewer in the spring. Stated that he would volunteer to keep the geese away.
- **Bob Sweeney,** 14 Knode Circle. Stated that he is absolutely appalled by the Mayor and Council. Stated that they did not listen to the citizens and are going behind people's backs. Stated that if the Mayor and Council are going to lie about the Budget and Water/Sewer Rates then their constituents will petition it to referendum. Stated that he thought the Budget Task Force was a good idea, but then the Mayor and Council does this. Asked where the vote was for bonding, noting that it was ignored for years. Stated that the Charter says that the Town Manager, Town Clerk and Treasurers must be bonded. Stated that the people are prepared to petition a referendum or petition a recall.

MAYOR AND COUNCIL MEMBER CORRESPONDENCE

- **Mayor Long** extended a thank you to the Public Safety Commission for a job well done at the National Night Out event on August 1 in Shafer Park.
- **Mayor Long** stated that the 225th Birthday Party will be held in Shafer Park on August 13.
- **Assistant Mayor Kauffman** stated that the 225th Birthday Party is being held on the 225th day of the year at 2:25pm. Stated that the Boonsboro High School Band and South Mountain Jam, featuring Jeff Taulton, will provide music entertainment. Stated that the birthday cake will be served in Pavilion 2.
- **Council Member Schmidt** stated that she will be attending the Maryland Municipal League Board Retreat in Frederick, Maryland on August 24, 24 and 26.

Police Department Report – *Chief Stanford.* The Police Department received 113 calls for service, which included 117 motor vehicle violator contacts for the month of July 2017. There was 1 adult criminal arrest for a Frederick County warrant, 0 adult traffic arrests, 0 juvenile arrests and 0 juvenile traffic arrests. Stated that the Department collected 10.2 pounds of prescription drugs through the Drug Turn-In Program for the month of July 2017. Stated that Officer Taylor returned to work on *light duty* on August 5 and will move on to *regular duty* within the next week after the Chief's observation.

OLD BUSINESS

Fiscal Year 2017/2018 Budget: Council Member Solberg stated that this is the most difficult thing she has done as a Council Member. She stated that she was thrown off course by a recommendation from a Boonsboro Municipal Utilities Commission Member during the June 19, 2017 Mayor and Council Workshop/Business Meeting, noting that her original motion was to approve Ordinance 2017-01 for the Fiscal Year 2018 Budget and the Water/Sewer Rate Increase. She further stated that it was a difficult decision and she left the Meeting feeling like she had done something wrong and that the process went awry. Mayor Long stated that he consulted with Town Attorney Wantz regarding the legality of adopting an interim, or temporary, Budget. Council Member Solberg stated, based on the legal advice from Attorney Wantz, she is rescinding the motion of the interim Budget and the 120 days extension. **Motion** by Council Member Solberg, second by Assistant Mayor Kauffman to rescind the motion to approve the interim Budget and the 120 day extension.

- **Council Member Solberg** stated that the only reason she made the original motion at the June 19 Meeting was in the spirit of compromise and to avoid confrontation. She stated that she now realizes that avoiding confrontation is impossible. She further stated that she feels like she let down the BMUC after all of the work they put into the Rate schedule, and the Town staff, especially with the burden of the increase in Health Insurance for Fiscal Year 2018.
- **Assistant Mayor Kauffman** stated that she, too, felt that the motion was derailed due to the comment from the BMUC Member in the audience.
- **Council Member Kerns** stated that it is unconscionable to vote on this motion without having the Budget in front of them. She stated that she was promised Budget numbers in January and was not given them until April. She further stated that the Fiscal Year 2018 Budget does not have good numbers and that it is unconscionable to do this now, noting that the majority of the Rate increase is going toward employees' salary. Council Member Kerns stated that the Town did not pass an interim Budget and had voted to continue Fiscal Year 2017 Budget which could be amended at a later date.
- **Council Member Schmidt** stated that she agrees with Council Member Kerns. She stated that she was looking forward to guidance by a nonpartisan Budget Task Force and recommendations from the citizens appointed to that group. She further stated that two years of double digit Water/Sewer Rate increases is too much. Council Member Schmidt stated that she appreciates the work that the BMUC has done, but that she will vote for NO Rate increase.
- **Council Member Kerns** stated again that the Fiscal Year 2018 Budget was not provided for review at this Meeting.

Mayor Long called for a **Roll-Call Vote** to rescind the motion to approve the interim Budget and the 120 day extension:

- Council Member Davis – *yes*

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

Motion tied. Mayor Long voted yes.
Motion carried 4-3.

Council Member Kerns stated that now that the Town has no Budget and is not following the rules or the Town Charter.

Town Attorney Wantz stated that he reviewed the June 19, 2017 Mayor and Council Workshop/Business Meeting Minutes and audio recording twice at the request of Mayor Long, and explained the legal process of reviewing the transcripts. He stated that placing the previous Fiscal Year Budget in place for a four month period as an interim Budget fails to meet State requirements in adopting an Annual Budget, and that it is in the best interest of the Town to approve the Annual Budget with the effective date of July 1. He further stated that funds cannot be carried over to following years, and that the Budget that was approved was not the Budget that the Town had conducted the Public Hearing under the law. Council Member Schmidt asked if another Public Hearing would have to be held. Attorney Wantz stated that no, the Public Hearing for the Ordinance has already been held. Council Member Kerns stated that you cannot pass an interim Budget and that the Council's vote was to carry over the Fiscal Year 2017 Budget. Assistant Mayor Kauffman asked Attorney Wantz if you can accept a previous Budget for a new Fiscal Year. Attorney Wantz stated no, that the Mayor and Council must vote on the Budget that is presented in the Ordinance by the Town Manager.

Fiscal Year 2018 Water and Sewer Rates Recommendation: Council Member Solberg stated that she is making the motion to accept the Boonsboro Municipal Utilities Commission's recommendation of **Option 2** of the Fiscal Year 2018 Water and Sewer Rates. Council Member Kerns stated that the Council was not given a separate Budget without the rate increases. Mayor Long reviewed the proposed Water and Sewer Rates increases, noting that Option 1 provides *full funding* of the Water and Sewer Funds, Option 2 is an increase in the Water Fund with the General Fund still subsidizing the Debt Service, and Option 3 is no increase in Rates at all. **Motion** by Council Member Solberg, second by Council Member Davis to approve Option 2 of the Fiscal Year 2018 Water and Sewer Rates.

Water	**Rates**
In Town Residential Fixed Fee	**$15**
1 - 18,000 gallons	$6.20/1,000 gal
18,001+ gallons	$9.30/1,000 gal
In Town Commercial Fixed Fee	**$15 per EDU**
1 - 18,000 gallons	$6.20/1,000 gal
18,001+ gallons	$9.30/1,000 gal
Out of Town Residential Fixed Fee	**$22.50**
1 - 18,000 gallons	$9.30/1,000 gal
18,001+ gallons	$11.30/1,000 gal
Out of Town Commercial Fixed Fee	**$22.50 per EDU**
1 - 18,000 gallons	$9.30/1,000 gal
18,001+ gallons	$11.30/1,000 gal
Sewer	**Rates**
Residential Fixed Fee	**$55**
1 - 18,000 gallons	$9.00/1,000 gal
18,001+ gallons	$13.00/1,000 gal
Commercial Fixed Fee	**$55 per EDU**
1 - 18,000 gallons	$9.00/1,000 gal
18,001+ gallons	$13.00/1,000 gal

- **Council Member Davis** stated that he served for 4 to 5 years on the BMUC, and that when he took over as Chairman the repairs to the System were long overdue. He stated that the BMUC is diligent with their funds, but that the I&I Issues were ignored and not taken care of until recently, as well as the purchase of much needed safety equipment and training

procedures for staff. He further stated that the Sewer Fund owes funds to the General Fund, and that it will only continue to increase if nothing is done.

- **Council Member Byrd** stated that safety procedures are not the Town's responsibility, it is the staffs. He stated that debt is still owed, and that it doesn't matter if the Council agrees to Option 2 or Option 3 because neither will reduce the debt. He further stated that the rate increase is going towards salaries and operational expenses. Council Member Byrd stated that the Town is throwing money down the drain because they have not fixed the water loss issues.
- **Council Member Schmidt** stated that she appreciates the work of the BMUC. She stated that she feels that the residents have not been fully educated as to why there are Rate increases. She further stated that she will not vote for a Rate increase because it is not fair to the residents, noting that the average resident does not know what the Town does with their money.

Mayor Long called for a **Roll-Call Vote** to approve Option 2 of the Fiscal Year 2018 Water and Sewer Rates:

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

Motion tied. Mayor Long voted yes.
Motion carried 4-3.

Fiscal Year 2018 Budget: Council Member Solberg stated that the approval of the Fiscal Year 2018 Budget should have happened at the June 19, 2017 Meeting. She stated that she is making the recommendation for the approval of Ordinance 2017-01, with no changes to the Fiscal Year 2018 Budget, as presented at the Public Hearing on June 14, 2017 which includes Option 2 of the Water and Sewer Rate increase. She further stated that this will allow the Town to work with an actual real annual Budget and move forward, and she looks forward to the Budget Task Force's assistance in the development of future Budgets.

Motion by Council Member Solberg, second by Assistant Mayor Kauffman to approve Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets.*

- **Council Member Byrd** stated that he'd like to see the motion amended to include one additional payment from the BMUC to the Debt due to the Rate increases, which would come from the additional funds and Contingency.
    - **Eric Kitchen**, BMUC Treasurer, stated that he had no advance copy of the Agenda either, but that yes, he thinks that the BMUC could add an additional Debt payment into the Budget.
- **Council Member Kerns** stated that there is only $61,000 budgeted in the Contingency Fund and that it cannot cover an additional Debt payment.

Mayor Long called for a **Roll-Call Vote** to approve Ordinance 2017-01; *Fiscal Year 2018 General, Water and Sewer Fund Budgets* and Option 2 of the Water and Sewer Rate Increase:

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

Motion tied. Mayor Long voted yes.
Motion carried 4-3.

Motion by Council Member Byrd, second by Assistant Mayor Kauffman to amend the motion to consider one additional Debt payment by the BMUC and to bring back the Budget numbers to show the payment in the Fiscal Year 2018 Budget.

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 - *no*
- Council Member Davis - *yes*

Motion carried 5-1.

NEW BUSINESS

Main Street Speed Changes; State Highway Administration (SHA) Recommendations: Town Engineer Hopkins presented the State Highway Administration's map showing the SHA Main Street speed change recommendations for the Councils review and input. He stated that John Wolford, State Highway Administration Traffic Engineering Manager, attended the June 19, 2017 Mayor and Council Meeting to discuss the SHA Traffic Study and Public Safety Commission's recommendations. He further stated that the SHA is recommending moving forward with the Main Street traffic speed updates of 35 mph from MD67 to 0.1 mile east of Mousetown Road, 25 mph from 0.1 mile east of Mousetown Road through Thomas Lane and 35 mph from Thomas Lane to Route 68/Lappans Road and Chase Six Boulevard. Town Engineer Hopkins stated that the SHA will be publishing a press release to notify residents of the speed change. **Motion** by Assistant Mayor Kauffman, second by Council Member Davis to approve the State Highway Administration (SHA) recommendations for the Main Street speed changes, and motion carried.

Town Hall Rear Roof Replacement: Town Engineer Hopkins reviewed that the Town Hall rear overhanging roof section was recently removed due to a hazardous deterioration issue. He presented the bid document from Cronise Corporation for the repair of the rear overhanging roof. He stated that three bid proposals were requested and that Cronise Corporation was the only company to respond, noting that their overall cost for the replacement project is $4,593.47. Council Member Schmidt asked if the rear of Town Hall could remain flat, as it is, without the roof section. Town Engineer Hopkins stated that in his opinion the overhanging roof is needed to keep people out of the elements as they enter and exit Town Hall. **Motion** by Council Member Solberg, second by Council Member Davis to approve the Cronise Corporation Town Hall Rear Roof Replacement project in the amount of $4,593.47, and motion carried.

Budget Task Force: Mayor Long reviewed that 8 applications were received from citizens who were interested in being part of the Budget Task Force. He stated that he reviewed the applications and is appointing Rick Beall, Roland England and George Messner to the Task Force, noting that he decided to appoint three members from the community to keep the group an even 3-3-3. Council Member Bryd stated that he thought the plan was to appoint citizens to the Task Force who do not currently serve on any Town Commissions or Boards due to a conflict of interest. Council Member Kerns asked what the criteria was for being appointed. Mayor Long stated that he read the applications and talked to the applicants that he chose to appoint, noting that the only person who is on a Commission is George Messner who serves on the Economic Development Commission, which he feels should not be an issue. He then reiterated to BMUC Treasurer Eric Kitchen that he would like him to be the Chairman of the Task Force and that he'd like them to schedule their first meeting for November 2017. Mr. Kitchen stated that he would like to meet with Mayor Long to discuss the very specific ideas he has for running the Budget Task Force.

Recommendation for Re-Appointment; Public Safety Commission: Council Member Byrd, on behalf of the Public Safety Commission, presented the recommendation to re-appoint Marty Love and Terry Hollingshead to the PSC, each for 2-year terms ending August 2019.

- **Motion** by Council Member Byrd, second by Council Member Davis to re-appoint Marty Love to the Public Safety Commission for a 2-year term ending August 2019, and motion carried.
- **Motion** by Council Member Byrd, second by Assistant Mayor Kauffman to re-appoint Terri Hollingshead to the Public Safety Commission for a 2-year term ending August 2019 and motion carried.

Recommendation for Appointment; Board of Zoning Appeals: Town Engineer Hopkins, on behalf of the Board of Zoning Appeals, presented the recommendation to appoint Natalie Mose, who is a current BZA Alternate Member, to the Board of Zoning Appeals for a 3-year term ending August 2020.

- **Motion** by Council Member Kerns, second by Council Member Byrd to appoint Natalie Mose to the Board of Zoning Appeals for a 3-year term ending August 2020, and motion carried.

COMMISSION REPORTS

Public Safety Commission – *R. Byrd.* Meeting held on July 20, 2017. Discussions included the purchase of the Speed Trailer, the Maryland State Highway Administration Report recommendations, plans for National Night Out, the recommendation to re-appoint Terri Hollingshead and Marty Love to the Commission, the Washington County Hazard Mitigation Plan update, and the update that the Police Officers are now using body cameras as of July 1. Council Member Byrd stated that the PSC still plans to hold a Public Hearing to let the residents know about the SHA street recommendations.

Park Board –*M. Kerns.* No meetings were held during the month of July 2017.

Utilities Commission – *T. Davis.* Meeting held on July 13, 2017. Discussions included an update on the Well #8 repair, the approval of the BMUC Reserve Funds Policy, the request for water service at the Ford Property on Old National Pike, the approval to issue a RFP for Variable Frequency Drive (VFD) Controllers from the MEA Grant, the Boonsboro High School irrigation, and the approval to draft a Safety Plan due to the continued need for staff safety courses.

Planning Commission –*J. Solberg.* No meetings were held during the month of July 2017.

- Council Member Solberg stated that a Joint Meeting with the Mayor and Council, Planning Commission and BMUC will be held on Thursday, August 10 at 6:30pm. Council Member Kerns voiced her frustration that no formal Agenda has been provided for this meeting, nor has it been posted on the Town website. Administrative Assistant Miller stated that the Agenda will be posted tomorrow, as soon as Town Manager Clark returns to the Town office.

Economic Development Commission –*C. Kauffman.* The Networking Breakfast was 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.

- Council Member Solberg stated that Stone Werks Coffee and Sweets opened today at 7 North Main Street.

Environmental Commission – *B. Schmidt.* No meetings were held during the month of July 2017.

- Council Member Schmidt stated that there was a very nice article in The Herald-Mail Newspaper regarding Shafer Park and the Monarch Way Station which was created by Lucas Stauffer for his Eagle Scout Project. She stated that the Park Board might consider using butterfly bushes as part of the Knode Circle Project, too.

Motion by Assistant Mayor Kauffman, second by Council Member Schmidt to close the Regular Meeting at 8:55pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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BOONSBORO MAYOR & COUNCIL
MONDAY, AUGUST 21, 2017
WORKSHOP MEETING

The Mayor and Council held their Workshop Meeting on Monday, August 21, 2017 in the Meeting Chambers of the Charles F. 'Skip' Kauffman Building to set the Regular Session Agenda for Tuesday, September 5, 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 Manager Megan Clark, Public Works Superintendent Greg Huntsberry, Boonsboro Municipal Utilities Commission Treasurer Eric Kitchen, Public Safety Commission Chairman Tony Nally and Administrative Assistant Kimberly Miller. The meeting convened at 7:00 PM.

Fiscal Year 2018 Capital Improvement Projects (CIP):

- **Vehicle Purchase:** Town Manager Clark stated that the Fiscal Year 2018 CIP Budget includes the shared expense of $52,500 ($17,500 per Fund) for the replacement of the 2004 Ford F-350 Public Works truck. She stated that staff is requesting to move forward with the purchase of the new truck due to the major repairs that are needed to the current vehicle. She further stated that a 2017 Ford F-350 diesel engine truck with a utility body, lift gate, 4WD and Boss V-Plow will cost approximately $47,700 utilizing the Blanket Purchase Order for the State of Maryland, noting that Hagerstown Ford has provided a quote that closely mirrors the State pricing with the preferred Fisher V-Plow for $48,481 and the police have requested the truck to be transferred to their department for use once replaced. Council Member Kerns asked what the cost would be to repair the truck. Superintendent Huntsberry stated that there are issues with the motor, it is leaking large amounts of oil, the right hub locks up, and he is not sure what the cost would be to repair it all. Council Member Byrd asked if the Town vehicles could be interchanged, or shared, between the Public Works and Utility Staff. Council Member Kerns stated that the Town owns 9 vehicles and that she is hesitant to approve the purchase of another truck with an unbalanced Budget. Superintendent Huntsberry stated that it wouldn't be right to ask the Utility Staff for one of their trucks, noting that the 9 trucks are needed for snow plowing because all of the employees use a truck to plow. Council Member Byrd stated that it's not right to purchase a new truck right after increasing the Water and Sewer Rates. Council Member Schmidt voiced her concerns as to why the Police Department would want a truck that is in such poor condition. Superintendent Huntsberry stated that it is his understanding that they will only be using it to transport items to and from the Park. Council discussed the cost of repairs and the options of leasing a truck or purchasing a used truck to save money. Superintendent Huntsberry stated that he will check the lease options and also the overall repair cost for the 2004 F-350. Consensus is to table the FY18 CIP Vehicle Purchase until additional information is provided to the Mayor and Council.

Salt Purchase: Town Manager Clark stated that staff is recommending the purchase of 75 tons of salt at the cost of $74 per ton *delivered* for the upcoming winter season, which is the same cost as last year. She stated that she will also provide a cost proposal from Eastern Salt Company in Baltimore before placing the order.

Main Street Speed Changes; State Highway Administration (SHA) Recommendations: Public Safety Commission Chairman Tony Nally attended the Meeting to further discuss the State Highway Traffic Study Report and the Public Safety Commission's recommendation, which were presented at the May Workshop/Business Meeting and detailed by John Wolford, State Highway Administration Traffic Engineering Manager, at the June Regular Meeting.

- Stated the Council should disregard the SHA recommendation for the street changes and by-pass lane at the North Main Street and Maple Avenue intersection. Stated that the PSC recommends not moving forward with those changes.
- Stated the PSC is in full support of the pedestrian cross-walk area rehabilitation at the North Main Street and Maple Avenue intersection near the School Complex entrance, noting that PSC still recommends changing the right lane turning at that intersection to 'no turn on red.'
- Stated the PSC accepts and recommends that the 3 parking spaces will be removed in front of the Trolley Station near the pedestrian cross-walk area at the North Main Street, Orchard Drive and Park Lane intersection for safety reasons.
- Stated the PSC accepts and recommends that the traffic light in the Town Square will be retimed to allow for a 'phased' left turn lane in front of Dan's Tap House for vehicles turning on to Potomac Street. Stated that 4 parking spaces will be removed to allow for the turning lane.
- Stated that upon approval, SHA will move forward with the Main Street traffic speed updates of 25 mph from Mousetown Road through Thomas Lane and 30 mph from Thomas Lane to Route 68/Lappans Road and Chase Six

Boulevard. Stated that the PSC is recommending that the speed limit be changed from 40 mph to 35 mph from Route 68/Lappans Road and Chase Six Boulevard to at least the Dollar Store.

Council Member Kerns asked if it would be possible to change Thomas Lane to a 1-way 'entering' from Main Street instead of the 1-way coming onto, or consider making it a 'right turn only' onto Main Street. Council Member Schmidt recommended talking to the business owners and residents who will be losing parking spaces on Main Street. PSC Chairman Nally stated that the Town should hold a Public Hearing to inform the public. Town Manager Clark stated that the Public Hearing will be scheduled before the September Workshop Meeting.

Report from Boonsboro Municipal Utilities Commission Treasurer: Eric Kitchen, BMUC Treasurer, stated that Council Member Byrd requested adding an additional Debt Payment to the Sewer Fund Fiscal Year 2018 Budget at the Mayor and Council August 7, 2017 Meeting. He stated that right now, the FY18 Budget includes four $79,000 Debt Payments; two from the Sewer Fund and two from the General Fund Reserves. He further stated that he will need to take this request to the BMUC for their input. BMUC Treasurer Kitchen stated that he has run the numbers and thinks that an additional payment could possibly be worked into the budget but he is not sure if the BMUC will approve this request. He stated that he, or Chairman Loeber, will report the BMUC decision back to the Council.

Knode Circle Landscaping Project: Town Manager Clark stated the Boy Scout Daniel Stauffer will be joining the meeting at 8:00pm to present his landscaping plans for his Knode Circle Eagle Scout Project. Council Member Schmidt stated that she spoke to Scout Stauffer on Sunday and was pleased with his plans for Knode Circle, noting that he is working with an architect on the Project. Christi Weaver, 8 Knode Circle, stated that the landscaping and boulder placement, to prevent people from driving through the park area, was approved at the December Mayor and Council Meeting and nothing has been done to date. Council Member Solberg suggested that the Town purchase and place the boulders and have the Boy Scout do the landscaping project. Tracy Carr, 4 Knode Circle, stated that her family would like to purchase 1 or 2 dogwood trees for the project in honor of her father. Mrs. Weaver stated that the water meters are still sticking out of the ground from the Waterline Project and are at all different levels, and asked if the Town could please do something to remedy that. Town Manager Clark stated that she will have the Public Works staff take a look at them. Mayor Long asked that anyone who is interested in the Knode Circle Landscaping Project to please stay after the Meeting to see Scout Stauffer's presentation.

CITIZENS COMMENTS

- **Paul Duenas**, 314 Lanafield Circle, stated that he is concerned with the comments made in the Herald-Mail Newspaper, noting that it is not becoming of the Town. Stated that there is disharmony between the Mayor and Council Members, and he was disappointed that they were not working together.
- **Ricky Weaver**, 8 Knode Circle, asked why haven't the Town employees been subject to random drug testing. He stated that it will help lower the Town's insurance costs and increase on the job safety. Asked why employees are driving their vehicles home, noting that he saw an employee getting groceries on a Sunday using a Town work truck. Asked the Mayor why he was not interviewed for the Budget Task Force.
- **Laura Kirby**, 401 Brookridge Drive, stated that a neighbor at 103 Fishing Creek Lane would like a copy of her last 4 years of Water and Sewer bills, noting that she is very upset about the increases and will be coming to Town Hall.

Motion by Council Member Kerns, second by Council Member Schmidt to close the Workshop Meeting at 8:25pm, and motion carried.

Respectfully submitted,

Kimberly A. Miller
Administrative Assistant

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