

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, February 9, 2026

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, February 9, 2026 in the Town Annex Meeting Chambers. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Eric Kitchen, Marilee Kerns, Ray Hanson, Terri Hollingshead and Ricky Weaver. Also present were Town Manager Rachel Souders, Office Manager Kimberly Miller, Town Planner Drew Bowen, Town Clerk Jesse Powers, Water and Wastewater Superintendent Pete Shumaker, Public Works Superintendent Greg Huntsberry, Police Chief Dave Rizer, Assistant Police Chief/Lieutenant James Rogers, Sergeant Rob Whittington and Police Operations Manager Amy Rudy. The meeting convened at 7:00PM with the pledge and the invocation offered by Mayor Long.

REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER’S REPORTS

- **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve the Regular Meeting Minutes from January 12, 2026 and the Special Meeting Minutes from January 21, 2026, as amended. **Motion carried.**
- Assistant Mayor – Town Treasurer Nally presented the January 2026 Treasurer’s Reports. **Motion** by Council Member Kitchen, second by Council Member Kerns to approve the January 2026 Treasurer’s Reports. **Motion carried.**

PUBLIC COMMENTS

Peggy Poenisch, 303 North Main Street. Stated that she is attending the Meeting tonight to publicly state how ridiculous everything has become regarding her signs in front of her house, noting that in September 2025, when she received her first notice from the Town, her signs had already been up for 8-months with no concerns from the Town regarding the Sign Ordinance. She stated that one complaint from a prominent Town member, who did not get his way, opened it up for the Town to get her signs down, and not because of an Ordinance. She stated that the notice she received stated that the signs needed to be removed from the ‘permanent structure’ which she did immediately after speaking with the Town Planner. She stated that it was relayed to her at that time that there were a couple of people that had a problem with what was written on her signs. She further stated that she then placed her signs on poles in her front yard which made them more visible and really upset everyone. Ms. Poenisch stated that it was then that the Town paid attention to what was written on the signs and demanded that they be taken down, and that this is a Freedom of Speech issue and not an Ordinance issue. She stated that after meetings to discuss the length and size of the signs, the Town decided that the best way to make sure all of the signs came down was to make her get a Sign Permit, which was then denied. She stated that she then did what the Town asked her to do and kept only one sign up on a pole, complying with the notice. Ms. Poenisch stated that she then received an email regarding the separate sign she had in her yard, equaling two signs in her front lawn, telling Town residents that she has food on her porch to feed them and the Town asked her to take it down, noting that they have done everything to get her political signs completely removed. Ms. Poenisch stated that they have made themselves very clear again that this is a Freedom of Speech issue and that is unacceptable. She stated that she had to file for an Appeal, there is no Sign Ordinance being enforced in Boonsboro and this is really a Freedom of Speech issue. She further stated that Mayor Long and Council Member Kerns basically live across the street from her, that every time they come out to Main Street, they see her home and her signs were up for 8-months and no one cared, not until the words on her signs came to their attention, again Freedom of Speech issue. She stated that if you need proof that the Sign Ordinance is not being enforced, look at Council Member Kerns yard and Alex’s Gas Station. She stated that the Sign Ordinance is poorly written and there are many places around Town that go against Ordinances not because they chose to but because the Ordinances are written ridiculously. She concluded by stating that again this is a blatant violation of her First Amendment rights and its unacceptable.

- **Mayor Long** stated that his personal opinion is that the Town is not taking away Ms. Poenisch’s Freedom of Speech and no one at Town Hall has told her what she has on her signs is incorrect or is trying to stop her Freedom of Speech. He stated that the issue is with the size of her signs and on the day that she received her notice four other places received notices and took care of their signs, and the Town is not discriminating against her. He stated that he has not heard the Council Members say they were offended by her signs, it is Freedom of Speech. He further stated that whether the Sign Ordinance is not up to date is something that the Planning Commission will need to look into, noting that the Ordinance has been in existence for many years.
 - **Ms. Poenisch** responded by asking why, after the signs had been up for so long, did the Town come after everyone on one single day. Council Member Kerns stated that there were complaints filed and the Town followed up on the complaints. She stated that the Town does not go around daily checking everyone’s properties for violations.

- **Council Members Hanson** stated that he lives in the Crestview Development and had a basketball hoop on his driveway for twelve years, which he found out was in violation of his Home Owners Association (HOA) rules, and that it was not until his neighbor made a complaint against him that the HOA made him take it down. He stated if someone makes a complaint against you, the Town has to follow through with the complaint. He stated that he is upset, on a personal note, that Ms. Poenisch is lumping the entire Council into her discussion. He thanked her for coming to the Meetings and being involved as a citizen. He stated that everyone has a First Amendment Right and the First Amendment says that the Government cannot put you in jail for something you said, it does not mean everyone has to like what you said, and there are repercussions when you offend people. He stated that when you offend someone, they file a complaint and when your sign is too big, you get a Notice of Ordinance Violation. He stated that if you fix the size of your sign, comply with the law, you can say whatever you want, noting that there is nothing personal here and if she tries to turn this into something that it is not then that is a real shame. Council Members Hanson stated that she should not turn this into a personal or political issue, that she should be proud of her signs, even if it offends someone, but follow the Town rules for the size and put up a smaller sign. Ms. Poenisch stated that she was lumping the Council together because she had people coming to her home saying that they heard the Council talking about the words and size of her signs. Council Member Kerns stated that the Council only started discussing the signs after the complaints were filed. Council Members Hanson stated that Ms. Poenisch's sign sizes were not in compliance, that the Town said she needs to be in compliance, and God bless America.
- **Mayor Long** stated that it does not matter what is on the sign and that Ms. Poenisch simply needs to comply with the sign size. Town Planner Bowen stated that Ms. Poenisch's sign size needs to be 14 -square feet, or 7 feet long x 2 feet wide, based on her property lot size of 0.45 acres.
- **Council Member Hanson** stated that it is Ms. Poenisch decision to put whatever she wants on her 14 -square foot sign, that she is accountable for what she posts. He stated that we live in a 'Purple' Town, you are going to offend people, it is not against the law, be responsible for what you put on your sign, noting it might not be the response you are looking for but just make sure the size of your sign is in compliance.
- **Ms. Poenisch** stated that she does want to make sure that the Mayor and Council know that there are many Ordinances that are not being followed and enforced in Town and that they should be consistent in enforcing the Ordinances. Assistant Mayor Nally stated that she should file a complaint about those individuals or businesses that she feels are not compliant, and we move forward. Council Member Weaver stated that the Town has had a lot of turnover the past few years and that we are finally in a good place. He stated that he looked at the Sign Ordinance and it has not been updated since 2009. Council Member Hollingshead stated that she agrees that people are not following the rules and Ordinances are not being enforced as they should be, but that staff does not have the time to constantly look around Town until a complaint is received. She stated that she really appreciates everything that Ms. Poenisch does with the food and the coats for our community, that it is wonderful.
- **Council Member Kitchen** concluded by stating that the Planning Commission is working through the codification of all of the Town Ordinances. He stated that Ms. Poenisch is correct that so many of the Ordinance are out of date and need updated.

GUESTS

Presentation of Fiscal Year 2025 Audit: Jason Node, *CPA for Albright, Crumbacker, Moul & Itell, LLC*, presented the Fiscal Year 2025 Audit Summary for the year ending June 30, 2025 of the General, Water and Sewer Funds. Mr. Node reviewed that the assets of the Town exceeded its liabilities at the close of the Fiscal Year by \$20,471,474 (net position) and of this amount \$7,452,381 (unrestricted net position) may be used to meet the Town's ongoing obligations to citizens and creditors. He reviewed the highlights from the Financial Statement Summary, stating at the close of the Fiscal Year, the General Fund had a fund balance of \$6,147,600, which is a decrease of \$1,294,106 from the prior year, and that the unrestricted net position of the Water Fund and Sewer Fund increased by \$5,729,343 at the end of the Fiscal Year, in the amounts of \$3,113,966 and \$2,615,377, respectively. He reviewed the Schedule of Findings and Responses, noting that zero Material Weaknesses in Internal Controls Over the Financial Reporting were found during the Audit. Mr. Node stated that the Audit was good and clean, and commended the Town staff on their hard work during the year. He stated that the Uniform Financial Statements and Independent Auditor Report (UFR) will be submitted to the State and required agencies after the Mayor and Council's formal approval and signatures from Mayor Long and Town Treasurer/ Assistant Mayor Nally. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve the Fiscal Year 2025 Financial Audit for the year ending June 30, 2025 as presented. **Motion carried.**

Presentation of Main Street Maryland Plan – Economic Development Commission and Boonsboro Town Alliance: Terri Packard, *Chairperson of the Economic Development Commission*, Natoma Vargason, *Vice-Chairperson of the Economic*

Development Commission and Member at Large of the Boonsboro Town Alliance, and Ken Ebmeier, Economic Development Commission Member. Mr. Ebmeier stated that the Mayor and Council discussed their concerns regarding the Main Street Maryland Program Agreement for Connected Communities from the Maryland Department of Housing and Community Development (DHCD) at their December 2025 Meeting, and that they tabled it because they did not know who would be paying for the Programs part-time employee and who would be responsible for managing the Program and organizing events. He stated that the Boonsboro Town Alliance (BTA) will be managing everything that has to do with the Main Street Maryland Program, and that they are not asking for any money from the Town and will not be adding extra work to the Town staff. He further stated that they will be applying for DHCD grant funding and will be reaching out to the Town's three local banking institutions for 3-year funding commitments to pay for the Main Street Maryland Program part-time employee. Ms. Vargason stated that the Council approved Resolution 2024-05; *Main Street Maryland Affiliate Program* at the June 2024 Meeting and that the Town was accepted into the Connective Introductory Level of the Main Street Maryland Program at that time, and that to be part of the Aspiring Level of the Main Street Maryland Program (*year 2*), you must have a part-time Manager employee. Council Member Kerns stated that one of her concerns is that the Boonsboro Town Alliance hiring an employee is kind of a grey area, noting 'Would that person be a Town employee?' Ms. Packard stated that they would create a Memorandum of Understanding (MOU) between the Town and the Boonsboro Town Alliance establishing responsibilities, and that the Town staff would continue to provide assistance and support as a resource for signing documents or during sponsored events for set-up and tear-down like the Public Works Department has been providing to the EDC over the years for the Food Truck event and Spring Jubilee. She stated that the DHCD said that they would assist them by sending examples of a MOU. Mr. Ebmeier stated that 'no additional cost' and 'no additional responsibility to the Town' can be added to the MOU. Assistant Mayor Nally stated that the Town needs to establish a Memorandum of Understanding with the Boonsboro Town Alliance before the Mayor and Council sign the Maryland Department of Housing and Community Development's Main Street Maryland Program Agreement for Connected Communities, and that we need to make sure that the MOU includes 'No financial responsibility to the Town' and 'No administration resources.' **Motion** by Council Member Kerns, second by Council Member Hollingshead to give consensus to work to establish a Memorandum of Understanding between the Town and the Boonsboro Town Alliance for the Main Street Maryland Program Agreement for Connected Communities from the Maryland Department of Housing and Community Development as discussed in this Meeting. **Motion carried.**

FACILITIES REPORTS

PUBLIC WORKS SUPERINTENDENT'S REPORT –*Greg Huntsberry*

- Stated that the snow and ice storm of 2026 was the worst storm in the 23 years he has worked for the Town. Stated that the Public Works crew hauled 356 loads of snow in the dump trucks to the Park. Stated that there was no funding available for the State of Emergency from Washington County or the State to pay to bring in snow removal contractors.
- Stated that they have had frozen water meters in both Boonsboro and Keedysville. Stated that this morning the meter at 202 Maple Avenue caused a major leak and the water froze on Campus Avenue, but they were able to clean everything up.
- Stated that all of the water and sewer lines have been installed in Dean South (Fletcher's Grove)
- Stated that Ernie Mose resigned last week and the Public Works Municipal Service Worker position has been advertised with the application due date on Friday, February 20, 2026.

WATER AND WASTEWATER SUPERINTENDENT'S REPORT – *Pete Shumaker*

- Stated that January 2026 was a good month and everything in the Water and Sewer Departments is running well.
- Stated that Water and Wastewater Operator Jim Morton had a heart attack at home on Sunday and is in the hospital recovering from heart surgery.

TOWN MANAGER'S REPORT – *Rachel Souders*

- Stated that the Request for Proposals for the Construction Management and Inspection of the Chase Six Boulevard and Campus Avenue Project has been posted and advertised with bids due on March 3, 2026. The Project will be awarded at the March 9, 2026 Mayor and Council Meeting.
- Stated that there is an opening in the Public Works Department and that we are accepting applications for a Municipal Service Worker until February 20, 2026. Ernie Mose's last day was February 2, 2026.
- Stated that the Chair of the Boonsboro Keedysville Water Advisory Board provided information on Impact Fees, so we will be reconvening the Capital Improvement Plan Fee Workgroup to apply this information to our own draft.

- Stated that we will wait to issue Notice to Proceed for the Crestview Water Pressure Reduction and Bypass Project until the Winter weather is behind us, most likely at the end of March 2026. Stated that this is primarily driven by safety concerns and that it will not affect completion of the Reservoir Project.
- Stated that the Town had a Grant Monitoring Site Visit, noting that it went well and there are a few items that we will need to include in our future Grant management.
- Stated that we have two employee work anniversaries this month: Water and Sewer Billing Clerk Yvette May – 4 years and Public Works Crew Leader Dave Poffenberger – 10 years
- Stated that the Environmental Protection Agency (EPA) Grant funding for \$1,000,000 for the Reservoir Project looks more promising. Stated that last week the Town filed for a Categorical Exception and it looks like the Grant progress will be moving forward.

TOWN PLANNER'S REPORT – Drew Bowen

- Stated that contractors for the High's Dairy Store have been working on site and have the steel beams up for the structure. Stated that the tanks are in.
- Stated that all of the roads are in at Dean South (Fletchers Grove) and that they are grading out to Maple Avenue.
- Stated that Tractor Supply reached out to the Town for requirements and has also reached out to the State Highway Administration.
- Stated that everything has been approved for the McDonald's on Chase Six Boulevard, as well as the water taps from the BMUC.
- Stated that the Reservoir Project is moving along well, the control building is being equipped with electronics and that the Crestview Water Pressure Reduction and Bypass Project has been put on hold until the weather is better.
- Stated that there are two Board of Zoning Appeals Hearings scheduled for next week, Tuesday, February 17, 2026. BZA 25-01 Special Exception – Mt. Nebo for a Variable Message Sign and BZA 25-02 Variance – 305 North Main Street for Square Footage Allowed.
- Stated that a Notice of Violation letter was sent to the owner of My Mini Mart and Dream Diner (23 South Main Street) and Washington County for using the exhaust fan on January 19, 2026, from 8:10am to 8:55am. Mr. Lee Daugherty filed the formal complaint and said that the exhaust system operated continuously for approximately 45 minutes.

POLICE DEPARTMENT REPORT – Chief Dave Rizer. The Police Department received 139 calls for service, 57 motor vehicle violator stops and 83 violator citations, 3 parking citations and 745 traffic enforcement/patrol checks for the month of January 2026. There were 0 adult criminal arrests, 1 adult paper service arrest, 0 adult traffic arrests and 2 juvenile arrests.

- Stated that eight out of the fifteen new security cameras have been installed by Spichers. Stated that the remaining seven will be installed on Town lamp posts.
- **Mayor Long** stated that the Town received noise complaints from the neighboring house about the event at Vanish Hall on Saturday evening. Chief Rizer stated that the call was received by Washington County around 10pm – 10:30pm on Saturday evening and that the County dispatched an Officer to the location who attempted to call the resident back, but that the resident would not answer the phone call. Chief Rizer stated that the Town does not have a noise Ordinance but that music at 10-10:30pm is not unreasonable.

MAYOR AND COUNCIL UPDATES and CORRESPONDENCE

- **Assistant Mayor Nally** stated that he sent out an invitation to the Mayor and Council to attend the Trinity Evangelical Lutheran Church of Boonsboro's Steeple Dedication Ceremony on March 15, 2026 at 11:15am. He stated that he will be sending an invitation to the Washington County Board of Commissioners as well.

NEW BUSINESS

Request to Renew – Auditing Firm for Fiscal Year Ending June 30, 2026: Town Manager Souders presented, for the Mayor and Councils consideration, the option to renew the current Professional Audit Service contract with Albright, Crumbacker, Moul and Itell for a fourth year at their current rate of \$21,500 for the Fiscal Year ending June 30, 2026. She stated that the current contract for Auditing Services was awarded in 2023 to Albright, Crumbacker, Moul and Itell and is for a 1-year term with the option to extend for four (4) additional 1-year terms, for a total 5-year term, at the sole discretion of the Mayor and Council. **Motion** by Council Member Kerns, second by Assistant Mayor Nally to renew the Professional Audit Service contract for the Fiscal Year ending June 30, 2026 with Albright, Crumbacker, Moul and Itell for \$21,500. **Motion carried.**

Request to Renew – 2026 Mowing Services: Town Manager Souders presented, for the Mayor and Councils consideration, the option to renew the current Mowing Service Contract with the Yetter’s Lawn Care at the current rate of \$32,620 (\$1,165 weekly) for the year beginning on April 1, 2026. She stated that the current contract for Mowing Services was awarded in 2024 to Yetter’s Lawn Services and is for a 1-year term with the option to extend for two (2) additional 1-year terms, for a total 3-year term, at the sole discretion of the Mayor and Council. Public Work Superintendent Huntsberry stated that he is recommending that the Town renews Yetter’s Lawn Care’s contract based on their dependability. **Motion** by Council Member Kerns, second by Assistant Mayor Nally to renew the Mowing Service contract for 2026 with Yetter’s Lawn Care for \$32,620. **Motion carried.**

Donation Request: Boonsboro High School “We the People” Team: Mayor Long stated that a donation request was received from the Boonsboro High School “We the People” Team to help pay for their expenses to attend the National Competition in Washington, DC to represent the State of Maryland and Washington County. **Motion** by Council Member Hollingshead, second by Council Member Kerns to donate \$100 to the Boonsboro High School “We the People” Team. **Motion carried.**

Request for Sponsorship – Washington County Envirothon: Mayor Long stated that a donation requested was received from the Washington County Soil Conservation District to help pay for the expenses for the Annual Washington County Envirothon to be held on April 8, 2026 for local High School students. Office Manager Miller stated that there is \$500 left in the Donation line item of the Fiscal Year 2026 Budget. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to donate \$100 to the Washington County Soil Conservation District for the Annual Envirothon, with Council Member Hanson opposing. **Motion carried 5-1.**

Approval to Transfer Project Specific Funding to Restricted Account: Town Manager Souders presented the request to transfer Project specific funds to Restricted Accounts to keep them safe from being spent for expenses other than for the Projects. She stated that she is requesting to transfer the Crestview Water Pressure Reduction and Bypass Project funds from the BMUC Water Fund Account to the BMUC Water User Fee Account and to transfer the Chase Six Boulevard – Campus Avenue Intersection Project funds from the General Fund ICS Account to the Mayor and Council Restricted Account. Council Member Kerns stated that if the funds are being used for active Projects it does not make sense to move them and have to move them back again. Town Manager Souders asked if the Council could meet her halfway and consider transferring just the \$200,000 Chase Six Boulevard – Campus Avenue Intersection Project funds. **Motion** by Council Member Kerns, second by Assistant Mayor Nally to approve the transfer of the earmarked \$200,000 for the Chase Six Boulevard – Campus Avenue Intersection Project from the General Fund ICS Account to the Mayor and Council Restricted Funds. **Motion carried.**

COMMISSION REPORTS

Park Board – Council Member Weaver. Meeting held on January 28, 2026. Discussions included a recap on the success of Olde Tyme Christmas, ongoing issues with the Disk Golf Course, people nearly being hit by flying disks and the need to set up a meeting with Ms. Vargason and Mr. Dolly, an update on the basketball court repairs, a grant application to expand the Dog Park, the scheduling of the Annual Shafer Park Clean-Up for April 26, 2026, the preliminary grant approval for funding to build a pavilion beside the Park pond, the motion and approval to keep the Wagon Train Event food vendors to non-profit vendors only, and the motion and denial to allow San Mar to setup a table and hand out goodie bags and foster care brochures at the Fishing Derby, noting that the Park Board feels this would be better suited for National Night Out or the Independence Day Celebration.

Boonsboro Municipal Utilities Commission – Assistant Mayor Nally. Provided a brief recap of the Boonsboro Keedysville Water Advisory Board Meeting on January 14, 2026. BMUC Meeting held on January 21, 2026. Discussions included the Reservoir Replacement Project update, the Crestview Water Pressure Reduction and Bypass Project update, the Water and Sewer Capacity Study update, the leaks on Potomac Street, the welcoming of Nelson Baker as the Commercial In-Town Voting Commission Member, the Synagro Proposal for Biosolid Transportation, the Fortiline - Kamstrup Advanced Water Meter Radio Pilot Program, the Town Specs change needed for water meter parts, the Tap Fee Allocation for McDonald’s and System Reports.

Planning Commission – Council Member Kitchen. Meeting held on January 27, 2026. Discussions included the Concept Plans for Battlefield Estates without Age Restriction Housing, the Preliminary Site Plans for Fletcher’s Grove Dean North, McDonald’s as well as the BMUC certified fixture unit count and the Boonsboro Rescue Company, review of the final draft of the Comprehensive Plan and that it will be available on the Town website after February 24, 2026, the Floating Zone Text Amendment, the Planning Commission Code of Conduct and Oath of Office discussion, the vacancy on the Planning

Commission, the upcoming Board of Zoning Appeals Cases (*BZA 25-01 Special Exception – Mt. Nebo – Variable Message Sign and BZA 25-02 Variance – 305 North Main Street – Square Footage Allowed*), the Chase Six Boulevard and Campus Avenue Project update (*Construction Bid Awarded to Excavation Associates, Inc., Land Subdivided, and McIlwee Home Purchased by Town*) an update on the Codification of the Town Ordinances and Staff Reports.

Economic Development Commission – Mayor Long. Meeting held on January 15, 2026. Discussions included upcoming grant opportunities, the Downtown Beautification Project, the upcoming Networking Meetings, upcoming Ribbon Cutting Ceremonies, the Quarterly Rack Cards, updates on Main Street Maryland, new business activities and updates, Fiscal Year 2027 Budget priorities and Committee Reports.

Environmental Commission – Council Member Hollingshead. Meeting held on January 14, 2026. Discussions included the year-to-date Budget and planning for Fiscal Year 2027, the appointing of Amy Jones as the BEC Treasurer, the request to use funds to purchase dog waste dispensers and Subcommittee Reports.

Assistant Mayor Nally reminded the Council that the Board of Zoning Appeals Hearings will be held on Tuesday, February 17, 2026 at 7pm and members of the Council should try to attend. He stated that the Planning Commission has made their recommendation to deny both requests based on current Town Ordinances.

Motion by Council Member Hollingshead, second by Council Member Weaver to adjourn the Regular Meeting at 9:25PM.
Motion carried.

Respectfully submitted,

Kimberly A. Miller, Office Manager