

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Monday, March 10, 2025

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, March 10, 2025 in the Town Annex Meeting Chambers. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Eric Kitchen, Ray Hanson, Marilee Kerns, Terri Hollingshead, and Ricky Weaver. Also present were Town Manager Rachel Souders, Office Manager Kimberly Miller, Town Planner Drew Bowen, Water and Wastewater Superintendent Pete Shumaker, Police Chief Dave Rizer, Police Sergeant Rob Whittington, Police Sergeant James Rogers and Police Officer Billy Gilbert. The meeting convened at 7:04PM with the pledge lead by Boy Scouts of America Troop 252 and the invocation offered by Mayor Long.

REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER’S REPORT

- **Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to approve the **February 10, 2025 Regular Meeting Minutes** and the **February 24, 2025 Workshop Meeting Minutes** as amended. **Motion carried.**
- **Motion** by Council Member Kerns, second by Council Member Kitchen to approve the **February 2025 Treasurer’s Report**. **Motion carried.**
 - Assistant Mayor/Town Treasurer Nally stated that the Town will be moving all funds out of Wells Fargo Bank and into Wealth Enhancement. He stated that Wells Fargo can no longer manage Town accounts.

PUBLIC COMMENTS

- **Bill Wolford, 21 South Main Street.** Stated that he lives with his daughter and son-in-law (*Joanna and Lee Daugherty*) and that they attended a Meeting back in *October 2024*. Stated that they live in the house next to My Mini Mart (23 South Main Street) and that the owner of My Mini Mart installed an unpermitted illegal cooking exhaust system on the outside of her building that blows directly onto their rear patio. Stated that they filed a formal complaint with Washington County about the exhaust system because it violates the Washington County Building Code because it is closer than 10 feet away from their property. Stated that the Fire Marshall reviewed and submitted comments on the safety as well. Stated that there will be a Public Meeting on March 19, 2025 at 3pm to appeal the exhaust system permit with the Washington County Building Code Board of Appeals.
- **Scouts from Boy Scouts of America Troop 252** working towards their Citizenship in the Community Merit Badges.

FACILITIES REPORTS

PUBLIC WORKS SUPERINTENDENT’S REPORT – Rachel Souders (Greg Huntsberry was not in attendance)

- Stated that there have been a few water leaks around Town. Stated that they had to hand dig the ground to fix the leaks on Maple Avenue and Kerns Drive.
- Stated that Huntsberry Brothers installed 3-inches of stone on the Shafer Park Walking Trail Phase IV Project and that they should be coming back this week to do more work on the Project.

WATER AND SEWER SUPERINTENDENT’S REPORT – Pete Shumaker

- Stated that the Spring Pump could not be fixed, a new pump was ordered and it should be delivered in 3 months.
- Stated that the Crestview/Route 34 Pump Station pump is working well.
- Stated that the repairs on the mechanical parts in the decanter room at the Waste Water Treatment Plant are working well
- Stated that Phillips and Son Drilling are coming in tomorrow to work on the Shafer Park Well. Stated that the electric is installed and that all work should be finished by next week.

TOWN MANAGER’S REPORT – Rachel Souders

- Stated that the Appalachian Trail United Post Office Stamp Dedication will be held on April 25, 2025 at 11am. Stated that the Appalachian Trail Committee is currently working on hosting the event at South Mountain State Park.
- Stated that Administrative Assistant Yvette May mailed letters to residents potentially affected by traffic changes for the upcoming Reservoir Replacement Project. Stated that HRI has confirmed that the road will be closed intermittently during construction.

- Stated that she submitted the Project Proposal for the Appalachian Regional Commission (ARC) grant funding. Stated that she requested \$250,000 for I&I Projects with a 50% match required. Stated if awarded, we will have \$500k to hopefully finish the I&I Projects. Stated that the reimbursement was received from ARC for the Phillips & Sons invoice.
- Stated that she will be seeking quotes for a new fence for around the Waste Water Treatment Plant which was budgeted in the Fiscal Year 2025 Budget.
- Stated that she will be seeking quotes for Construction Testing for the Reservoir Replacement Project.

PLANNER'S REPORT – Drew Bowen

- Stated that T. Wesley Poss, of Verdant Development Corporation, is currently working to develop a Master Development Plan for the Flook, Lakin and TT&K properties. Stated that Verdant will be reaching out to all of the property owners to discuss the 20-year Plan.
- Stated that Town Manager Souders and he will be meeting with Fletcher's Grove tomorrow to talk about the road.
- Stated that we are moving forward with the McIlwee pole building and that we agreed to a 20x20 building but that Mr. McIlwee is considering at 30x40 building. Stated that we are waiting on the price difference for the larger building.
- Stated that Vanish Brewery is now completely connected to public sewer and that all Washington County permits can be released.

Council Member Kitchen stated that the house and property at 50 St. Paul Street is up for sale and that there was an Open House this past weekend. He stated that Anita Sweigert and he went to the Open House and that the house looks good other than the sump-pump looks like it is connected to the Town's sewer. He further stated that the owner is asking \$590,000 for the house and 0.68 acres of property.

POLICE DEPARTMENT REPORT – Chief Dave Rizer. The Police Department received 92 calls for service, 118 motor vehicle violator contacts, 0 Parking Citations and 474 Traffic Enforcement/Patrol Checks for the month of February 2025. There was 1 adult criminal arrest, 1 adult paper service arrest, 0 adult traffic arrests and 0 juvenile arrests.

- Provided an update on the disorderly conduct and assault at Alex's Convenience Store at 280 North Main Street on February 25, 2025. Stated that Sergeant Whittington, Officer First Class Sword, Office Gilbert responded. Stated that assault charges have been filed against the 16-year-old girl. Stated that this case is ongoing pending further investigation.
- Provided an update on the playground incident at the Boonsboro Elementary School. Two High School students vandalized the slide at the playground and the event was recorded on video.
- Provided an update on the DUI arrest in front of 318 North Main Street on February 28, 2025 by Sergeant Whittington.
- Stated that Officer Gilbert has completed his FTO.

NEW BUSINESS

Fiscal Year 2026 Real Estate and Personal Property Tax Rates: Town Manager Souders presented the proposed Fiscal Year 2026 Town of Boonsboro Real Estate and Personal Property Tax Rates for the Mayor and Councils review and input as follows:

1. For the tax year beginning July 1, 2025, the estimated Real Property assessable base will increase by 6.4% from \$390,290,247 to \$415,197,249.
2. If the Town of Boonsboro maintains the current tax rate of \$0.3591 per \$100 of assessment, Real Property Tax Revenues will increase by 6.4% resulting in \$89,441 of new Real Property Tax Revenues.
3. In order to fully offset the effect of increasing assessments, the Real Property Tax Rate should be reduced to \$0.3445, the Constant Yield Tax Rate.
4. The Town of Boonsboro is considering not reducing its Real Property Tax Rate enough to fully offset increasing assessments. The Town proposes to adopt a Real Property Tax Rate of \$0.3591 per \$100 of assessment. This tax rate is 6.4% higher than the Constant Yield Tax Rate and will generate \$89,441 in additional Property Tax Revenue.

Town Manager Souders stated that the Town is proposing the Fiscal Year 2026 Real Estate and Personal Property Tax Rates as follows:

- **Real Property Tax Rate:** The Tax Rate on all Real Property located within the limits of the Town of Boonsboro is hereby set at \$0.3591 per \$100.00 of assessed property value. The assessed property values shall be those used for Real Estate Tax purposes as determined by the Washington County office of the State Department of Assessments and Taxation.

- **Personal Property Tax Rate:** The Tax Rate applicable to Personal Property located within the limits of the Town of Boonsboro is hereby set at \$0.875 per \$100.00 of assessed Personal Property. The assessed property values shall be those used for Personal Property Tax purposes as determined by the State Department of Assessments and Taxation. Council Member Kerns stated that by keeping the Constant Yield Tax Rate at the same rate that means that since there were property assessments this year that taxes will actually increase due to keeping the same Constant Yield Tax Rate. She stated that she feels bad for the base community that have been in the Town for years. She further stated that she is asking the Council and Town to be fiscally responsible with the revenue funds generated from taxes. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to accept the current Tax Rate of \$0.3591 and to approve the Fiscal Year 2026 Real Estate and Personal Property Tax Rates as presented.

Mayor Long called for a roll-call vote of those in favor of the Motion:

- Council Member Hanson – **yes**
- Council Member Weaver – **yes**
- Council Member Kitchen – **yes**
- Assistant Mayor Nally – **yes**
- Council Member Kerns – **yes**
- Council Member Hollingshead - **yes**

Motion carried.

Employee Retirement Benefits Advisor Change: Assistant Mayor Nally stated that Wells Fargo Advisors is losing the ability to manage all of the Town funds and that includes the Employees Retirement Account. He stated that he spoke with Tyler Hornbecker, who is the local financial advisor in Boonsboro for Edward Jones and is a member to the Economic Development Commission, about taking over the advising role of the Employees Retirement Account. He further stated that the Employees Retirement Account will still be administered by Smith, Elliott, Kerns and Company and that Mr. Hornbecker, of Edward Jones, would be the advisor like Bill Abeles, of Wells Fargo, currently is. Assistant Mayor Nally stated that the change in advisors will not affect the Retirement Funds in any way or the employees. He stated that all Retirement Funds will remain in Capital Groups and that the move will be beneficial because Mr. Hornbecker’s office is located here on Main Street. **Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to approve Tyler Hornbecker of Edward Jones as the new Advisor of the Employees Retirement Account. **Motion carried.** Assistant Mayor Nally stated that Mr. Hornbecker will be setting up a date to meet with Town staff to introduce himself and is checking to see if employees can contribute to their retirement funds as well.

Stormwater Management Ponds Responsibility: Town Planner Bowen stated that the Town owns twenty-seven (27) stormwater management ponds and are currently managing seven (7) of those ponds. He stated that the Mayor and Council need to decide if they want the Developers and Home Owners Associations (HOA) to maintain the ponds as they are doing now or if the Town should take over the maintenance, and if the rules for the management of the Stormwater Management Ponds should be in the form of a Policy or an Ordinance. He stated that the ‘positive’ of having the Developers and HOAs managing the ponds is that there are MS4 permit regulatory controls over them, but that the ‘negative’ of having the Developers and HOAs managing them is that residents may get upset that some of their HOA fees are going towards the treatment of the stormwater in ponds. Town Planner Bowen presented a map of all of the stormwater management ponds in Town for the Councils review and input. Council Member Kerns asked if Town Planner Bowen has an opinion or recommendation on who should maintain the ponds. Town Planner Bowen stated that he thinks that the Town should take over the maintenance of all of the ponds and raise taxes to cover the additional costs because residents in developments would be paying the HOA fees anyways to help cover the costs. Council Member Hollingshead stated that if we did that then Public Works Superintendent Huntsberry would need to hire two additional employees just to take over the maintenance of the additional twenty (20) ponds that we are currently not maintaining. Council requested that Town Planner Bowen update the map of all of the stormwater management ponds in Town and color-code who owns them, get the Planning Commission’s input and comments on the responsibility of the ponds and revisit the Agenda item at the March Workshop Meeting.

Proposed Text Amendment to Zoning Code: Town Planner Bowen, on behalf of the Planning Commission, presented the recommendation of a proposed Text Amendment to update the language in the Site Plan Requirements of the Town’s Zoning Ordinance for the Mayor and Councils review and input. He stated that this is the preliminary review to update the language and definitions and that it can be further discussed at the March Workshop Meeting.

506 Site Plan Requirements

- A. **Requirements.** Prerequisite to the issuance of a Zoning Permit, a Site Plan shall be submitted to the Planning Commission for approval for all new construction greater than 2,000 square feet, multiple family dwellings, townhouses, churches and other places of worship, schools and other educational facilities, hospitals and health care

facilities, all new commercial and industrial structures and for all proposed construction that may result in a substantial change of use classification, alteration of on-site parking requirements, potential adverse impacts of off-site stormwater drainage, increased demand for public water and sewerage or additions which will cause the rerouting of traffic circulation.

Review Boonsboro Police Department Parking Fine Schedule Draft: Police Chief Rizer presented the Boonsboro Police Department draft Parking Fine Schedule for the Mayor and Councils reviews and input. He stated that he would like to have it in place by the Boonsboro Rescue Company's Carnival (May 23, 2025) but that there is no big rush. He stated that Sergeant Rogers found the median fine cost and compiled the Parking Fine Schedule to give the Department an additional tool for Law Enforcement. Council Member Kerns asked if there is a box available to drop fine payments in. Police Chief Rizer stated yes, there is a box on the door at the Police Department. Council Members Kerns and Hollingshead concurred that the 'due date' for fines should be increased from 10-day to 30-days. Council Member Hanson asked that this Agenda item be placed on the March Workshop Meeting Agenda for further discussion.

Approve Contract – Cintas Corporation: Town Manager Souders presented the new Cintas Workplace Cooperative Acceptance Agreement for the Councils review and input. She stated that the current contract is up for renewal, that by signing the new Agreement the Town would enter a 5-year contract that would end in 2030, and that the Town would receive lower pricing through the Omnia Partners - U.S. Communities Program. She further stated that staff reached out to other facility maintenance supply providers and received only one response from UniFirst Corporation. Town Manager Souders stated that staff is requesting to continue service through Cintas Corporation due to their ongoing dependability and pricing for trash bags, paper towels, toilet paper, soap, sanitizers, mats and restroom supplies. Assistant Mayor Nally, Council Members Kerns and Hollingshead stated that the supplies should be bought in-house through Amazon or Sam's Club and that the Town does not need a supply contract and service. **Motion** by Council Member Kerns, second by Assistant Mayor Nally to deny the renewal of the 5-year contract with Cintas Corporation.

Mayor Long called for a roll-call vote of those in favor of the Motion:

- Council Member Hanson – **no**
- Council Member Weaver – **no**
- Council Member Kitchen – **no**
- Assistant Mayor Nally – **yes**
- Council Member Kerns – **yes**
- Council Member Hollingshead - **yes**

Mayor Long voted **no** that he is not in favor of denying the renewal of the 5-year contract with Cintas Corporation to break the Council tie. **Motion carried 4-3.**

Council asked to have a breakdown of the cost of the items through the Omnia Partners – U.S. Communities Agreement that Cintas Corporation provides to the Town. The Agenda item was **Tabled**.

Proposal for Revolving Line of Credit: Town Manager Souders presented the proposal for a revolving line of credit from Middletown Valley Bank for the Councils review and input. She stated that the proposal is for a revolving line of credit up to \$2,000,000 which would be used as gap financing for Capital Improvement Projects that are identified in the Town's Capital Improvement Program or for any other short-term funding needs that the Town may require. She further stated that the Town would not need to put this out for bids but that it might be a good idea to see what other Banks might offer, noting that a line of credit would be very beneficial due to the possibility that Federal funds may not be available for upcoming Projects. Council is in favor of revisiting funding options.

Review of Fiscal Year 2026 Draft Budget: Town Manager Souders presented the Fiscal Year 2026 Draft Budget for the Mayor and Councils review and input. She discussed the Police Department Budget, Town Commission Budgets, and the request for additional Town staff. Due to the late hour and length of the Meeting, Council decided to postpone the review and schedule a Budget Workshop Meeting at 6:00pm on March 31, 2025 before the March Workshop Meeting. Town Manger Souders will apply the discussed edits and continue to work on the Fiscal Year 2026 Draft Budget.

COMMISSION REPORTS

Park Board – Council Member Kerns (Council Member Weaver did not attend the Meeting). Meeting held on February 26, 2025. Economic Development Commission Member Natoma Vargason presented information about an outdoor community event for the Appalachian Trail on October 18 and 19, 2025 in Shafer Park. Discussions included updates on the Shafer Park Walking Trail, updates on the Disk Golf Course, updates on the proposed Eagle Scout Projects for a Pollinator Hotel and

Bluebird Nesting Boxes in the Park, updates from the Tree Board, updates on the Shafer Park Clean-Up on April 17, 2025, updates on the Fishing Derby and that Council Member Kerns will be the point person for the event, updates on the Green Fest Swap and Recycling Event on May 10, 2025, updates on the Wagon Trail event, updates on the Summer Concerts and Outdoor Movies line-up and the Fiscal Year 2026 Budget.

Boonsboro Municipal Utilities Commission – *Assistant Mayor Nally*. Meeting held on February 19, 2025. Discussions included updates on the Shafer Park Well status, updates on the Reservoir Replacement Project, updates on the Crestview Water Pressure Reduction and Bypass Project, the Internal Water Audit, the Control Growth Plan, the Fletcher’s Grove Surcharge, fees for utilizing the Water and Sewer Hydraulic Models Developed by WRA, Fixed Fees 7-Year Increase Plan, the prioritization of suggested Infrastructure and Improvements, and System Reports.

- Announced that BMUC Chairman Colin Shanaberger will be stepping down from the Commission in May 2025.

Planning Commission – *Council Member Kitchen*. Meeting held on February 25, 2025. Discussions included the review of the revised draft of the Final Plats from the Washington County Board of Education for the McIlwee Subdivision, and the review of the Proposed Text Amendment to the Zoning Code for Site Plan Requirement Changes and Staff Reports.

Economic Development Commission – *Council Member Hanson*. The upcoming Networking Meeting will be held on March 12, 2025 at the Boonsboro American Legion Clopper-Michael Post 10 at 7:30am. They will be discussing starting a Rotary Club in Boonsboro.

Environmental Commission – *Council Member Hollingshead*. No Meeting was held during the month of February 2025.

Motion by Council Member Kerns, second by Council Member Hollingshead at 10:32PM to move into **EXECUTIVE SESSION**; *as provided under General Provisions Article §3-305 (b)(8) consult with staff, consultants, or other individuals about pending or potential litigation. Motion carried.*

Motion by Assistant Mayor Nally, second by Council Member Kerns to adjourn the Executive Session at 10:38PM.
Motion carried.

Motion by Council Member Hanson, second by Assistant Mayor Nally to adjourn the Regular Meeting at 10:38PM.
Motion carried.

Respectfully submitted,
Kimberly A. Miller, Office Manager