

**BOONSBORO MAYOR AND COUNCIL**  
**REGULAR MEETING MINUTES**  
**Monday, May 12, 2025**

The Mayor and Council of Boonsboro held their Regular Meeting on Monday, May 12, 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, Public Works Superintendent Greg Huntsberry, Police Chief Dave Rizer, Police Sergeant Rob Whittington, Police Sergeant James Rogers and Police Operations Manager Amy Rudy. The meeting convened at 7:00PM with the pledge and the invocation offered by Mayor Long.

**PRESENTATION - Miss Poppy Proclamation.** Mayor Long presented the annual Proclamation to Miss Lilly Demers Clopper-Michael American Legion Post 10's Miss Poppy 2025. Senior Miss Poppy Allie Smith was not in attendance.

**REVIEW AND APPROVAL OF MEETING MINUTES and TREASURER'S REPORT**

- **Motion** by Assistant Mayor Nally, second by Council Member Kerns to approve the **April 14, 2025 Regular Meeting Minutes**, as amended. **Motion carried.**
- **Motion** by Council Member Kitchen, second by Council Member Weaver to approve the **April 2025 Treasurer's Report**. **Motion carried.**

**PUBLIC COMMENTS**

- **Brian Smith, 107 Maple Avenue.** Stated that there needs to be better communication about the Dean South construction project. Stated that they received a letter back in December 2024 and have not heard anything since construction has begun. Asked the Mayor and Council what the time line is for the project. Stated that the overall perception is that the construction of the road, the installation of the traffic light and crosswalks have to be completed before the developer can start building houses.
  - **Town Planner Bowen** stated that the Annexation Agreement says that building can start when the traffic light is completed or the project is bonded. Stated that the project has been bonded and the Memorandum of Understanding (MOU) makes the intersection a separate project. Stated that the developer will bring Chase Six Boulevard to Maple Avenue but it will not be open to traffic until the intersection is completed. Stated that the developer can start building and selling houses before the intersection is completed. Stated that final completion happens when Substantial Acceptance occurs and maintenance transfers from the developer to the Home Owners Association (HOA.)

**FACILITIES REPORTS**

**PUBLIC WORKS SUPERINTENDENT'S REPORT – Greg Huntsberry**

- Stated that the Shafer Park Walking Trail Phase IV Project has been completed and is being used a lot. Stated that it is 1.2 miles long. Stated that a railing was installed along the steep edge of the trail.
- Stated that Sergeant Whittington caught the children that were vandalizing the Park. State that there have been no problems since then.
- Stated that they have been working on the waterline for the Dean South development at Knode Circle. Stated that they will be completing the construction within the week.

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

- Stated that everything with the Sewer and the Waste Water Treatment Plant are working well.
- Stated that he is still waiting for Phillips and Son Drilling to decommission the old Shafer Park Well. Stated that all of the water test results have been negative and it is good to go.

**TOWN MANAGER'S REPORT – Rachel Souders**

- Stated that the Town Clerk position has been filled and that new person's start date is May 28, 2025.
- Stated that the Town will be getting a "Book Drop" bin for old unusable book recycling next to the Community Center in Shafer Park.

- Stated that there have been two recent instances where pedestrians have almost been hit at the crosswalk on North Main Street by Shafer Park. Stated that the Police Department stop at least two vehicles a day violating the crosswalk law.

#### **PLANNER'S REPORT – Drew Bowen**

- Stated that the Council will receive his Monthly Planning and Zoning Report tomorrow
- Stated that there are a few issues with the line pressure at the Reservoir. Stated that the pumps have to work harder now because there are more houses in Town than on the original plans. Stated that Superintendent Shumaker and he did an overnight test last week that was successful. Stated that the Access Permit from Stated Highway and the Building Permits from Washington County have been received.
- Provided an update on the shed behind Pathfinders Distillery Tasting Room at 14 South Main Street. Stated that Washington County originally permitted it because it was to be used for tenant storage. Stated that there are now 'for lease' signs on the shed. Stated that he will be sending them a letter.
- Stated that the owners of My Mini Mart at 23 South Main Street have plans to run the vents from the current exhaust system up and over the top of their build and place them on the roof. Stated that the unit will not be moved, and that the fan and noise will still be there. Stated that to his knowledge, Lee Daugherty, of 21 South Main Street, is still pursuing the Washington County Building Code Board of Appeals and Fire Marshall complaint against My Mini Mart.
- Stated that Paul Healy wants to meet to discuss connections and EDU for properties on Main Street.
- Stated that T. Wesley Poss, of Verdant Development Corporation, presented his Master Development Plan for the Flook, Lakin and TT&K properties on May 6, 2025. Stated that he will be looking at Subdivision Regulations.

**POLICE DEPARTMENT REPORT – Chief Dave Rizer.** The Police Department received 96 calls for service, 135 motor vehicle violator contacts, 0 Parking Citations and 683 Traffic Enforcement/Patrol Checks for the month of April 2025. There were 0 adult criminal arrests, 2 adult paper service arrests, 1 adult traffic arrest and 0 juvenile arrests.

- Stated, per Council Member Hollingshead request for a report, he is reporting that the Police Department has written 17 citation since May 1, 2025
- Stated that the Police Department is making a good presence in Shafer Park and the vandalism has slowed down. Stated that seven (7) Middle School age children have been banned from the Park and Carnival.
- **Council Member Kerns** stated that there is \$25,000 in the Police Contingency Fund, \$10,000 in Police Equipment and \$5,000 in Police Training and with the Fiscal Year Revenues coming in higher than expected, she would like to put the Police Camera System Upgrades out for bids, especially in light of the vandalism in Shafer Park. Police Operations Manager Rudy stated that she is currently working on a private grant for the Fall for the camera system that would provide the needed coverage for Town Hall, the Town Square, South Main Street and the Waste Water Treatment Plant that she already has quotes for. Town Manager Souders suggested earmarking the Funds to rollover to Fiscal Year 2026 in case the grant does not come through. Assistant Mayor Nally stated that he is favor of holding Reserve Funds for the Police Camera System Upgrades in the amount of approximately \$90,000.

#### **MAYOR AND COUNCIL UPDATES and CORRESPONDENCE**

- **Mayor Long** thanked everyone for a very successful Green Fest Swap and Recycle events on Saturday, May 10, 2025
- **Assistant Mayor Nally** stated that the Green Fest clothing swap was amazing and that everything was completely cleaned up in the Park quickly after the event.
- **Assistant Mayor Nally** thanked Council Member Kerns for stepping up and running the Fishing Derby on Saturday, May 3, 2025. Thanked Park Board Member Jeff Davidson, the Public Works staff and volunteers.
- **Sergeant Whittington** stated that the Town really needs turn arrows at all of the traffic light before someone has a terrible accident.
- **Assistant Mayor Nally**, on behalf of the Economic Development Commission, stated that they are recommending the appointment of Ken Ebmeier to the EDC for a 3-year term. Stated that he attended the EDC in Council Member Hanson's place while he was out of Town. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to appoint Ken Ebmeier to the Economic Development Commission with the term ending May 2028. **Motion carried.**

#### **NEW BUSINESS**

**32<sup>nd</sup> Annual Dwight Scott Memorial Golf Tournament:** Mayor Long stated that a donation request was received from the Boonsboro Athletic Boosters, Inc. for the 32<sup>nd</sup> Annual Dwight Scott Golf Tournament on June 30, 2025 at the Black Rock Golf Course. Office Manager Miller stated that there is \$600 left in the Donation line item of the Fiscal Year 2025 Budget. **Motion**

by Council Member Kerns, second by Assistant Mayor Nally to donate \$100 to the Boonsboro Athletic Boosters, Inc. for the 32<sup>nd</sup> Annual Dwight Scott Golf Tournament. **Motion carried.**

**Introduction of Ordinance 2025-01; An Ordinance to Adopt the Fiscal Year 2026 Budgets and Tax Rates:** Mayor Long presented the Introduction of Ordinance 2025-01; *An Ordinance to Adopt the Fiscal Year 2026 Budgets and Tax Rates for the Town of Boonsboro* for the Council's review and input. He stated that the Public Hearing was held at 6:30PM this evening with one person attending and no comments received. Town Manager Souders stated that Section 6. Water and Sewer Connection Fees is a new addition to the Ordinance this year. Council Member Kerns stated that the Fiscal Year 2026 Real Estate and Personal Property Tax Rates were approved at the March 10, 2025 Mayor and Council Meeting. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally approve the Introduction of Ordinance 2025-01; *An Ordinance to Adopt the Fiscal Year 2026 Budgets and Tax Rates.* **Motion carried**

**Introduction of Ordinance 2025-02; Adopt Restrictions on Establishments Selling Cannabis in the Town of Boonsboro:** Town Manager Souders presented the Introduction of Ordinance 2025-02; *Adopt Restrictions on Establishments Selling Cannabis in the Town of Boonsboro* for the Mayor and Council's review and input. She stated that Senate Bill 215 titled "Cannabis Reform – Revisions," which determines where you can put a cannabis dispensary and where you can use cannabis is getting closer to passing, noting if a Municipality does not have a current Cannabis Ordinance by July 1, 2025 they will fall under the current requirements. She further stated that she reached out to the Maryland Municipal League and the Town can only include two items in the Ordinance that can be implemented:

*"Whereas the Governor of the State of Maryland has approved Senate Bill 215, officially titled "Senate Bill 215, officially titled "Cannabis Reform – Revisions," and in it allowed political subdivisions to impose certain limitations on the operations of establishments selling cannabis, and by extension, products containing cannabis; and*

*I. On-site consumption establishments are expressly prohibited from operating within the town limits of the Town of Boonsboro.*

*a. "On-site consumption establishments" refers to entities licensed under §36-401(c)(4) of Senate Bill 215 to distribute cannabis or cannabis products for on-site consumption other than consumption by smoking indoors.*

*i. "Cannabis products" refers to products that are composed of cannabis, cannabis concentrate, cannabis extract, or other ingredients and are intended for use or consumption, including cannabinoid beverages, edible products, oils, and tinctures.*

*II. Licensed cannabis dispensaries may not be located within one-half mile of each other.*

*III. Licensed cannabis dispensaries may only operate within the General Commercial District (GC) zones of the Town of Boonsboro."*

**Motion** by Council Member Kerns, second by Assistant Mayor Nally approve the Introduction of Ordinance 2025-02; *Adopt Restrictions on Establishments Selling Cannabis in the Town of Boonsboro* and the scheduling of a Public Hearing before the June 9, 2025 Mayor and Council Meeting. **Motion carried**

**Review of Bids and Contract Award – Fiscal Year 2026 Milling and Overlay:** Town Manager Souders presented the bid results for the Fiscal Year 2026 Milling and Overlay Request for Proposals for the Mayor and Council's review and input. Public Works Superintendent Huntsberry stated that the Project is for eight locations throughout Town that include David Drive to Winner Lane, Winner Lane (Della Lane to David Drive), the Well 8 culvert, the Maintenance Shop parking lot, Tiger Way and Chase Six Boulevard, Orchard Drive to Main Street, Orchard Drive to Center Street, and Graystone Drive at Winner Lane, noting that Contractors must be able to complete the Project by December 31, 2025. Town Manager Souders reviewed the bids as follows:

- C.J. Miller, LLC - \$128,629
- Huntzberry Brothers - \$133,850
- M&D Paving and Sealcoating, LLC - \$229,000
- Wastler & Son, Inc. - \$127,338

Public Works Superintendent Huntsberry stated that he is recommending Wastler & Son, Inc. based on their very good references from the Town of Middletown. **Motion** by Assistant Mayor Nally, second by Council Member Hanson award the Fiscal Year 2026 Milling and Overlay Project to Wastler & Son, Inc. in the amount of \$127,338. **Motion carried.**

**Approval to Purchase VacHunter & Trailer Combo:** Town Manager Souders presented Public Works Superintendent Huntsberry's request to purchase a Pipe Hunter VacHunter 3534 PH6C Trailer Combo from Atlantic Machinery, Inc. for the cost of \$290,000 for the Mayor and Council's review and input. She stated that the Boonsboro Municipal Utilities Commission

highly recommends the purchase of this equipment, noting that it will save money annually spent on Roto-Rooter services. Town Manager Souders provided her recommendations on how to pay for the VacHunter. She stated that funds allocated for the Sewer Funds loan payment to the General Fund, as well as the remaining balance of the budgeted cost of the Waste Water Treatment Plant fencing can be used. She further stated that extra funds were budgeted for the Reservoir Project which came in under budget, and that the Town just received a settlement check for the PFAS for \$38,052. Superintendent Huntsberry stated that the delivery time is 4 to 6 months out, and that the equipment would be used for all three Town funds. Council discussed further crunching the Budget numbers and asking if the contract could be extended until funding can be finalized. **Motion** by Assistant Mayor Nally, second by Council Member Weaver to table the VacHunter and Trailer Combo Agenda item until funding options for the purchase are further explored. **Motion carried**

**Approval of Tri-Party MOU for Chase Six Boulevard and Campus Avenue Realignment:** Town Manager Souders presented the Tri-Party Memorandum of Understanding for the Chase Six Boulevard and Campus Avenue Realignment Project for the Mayor and Council's review and input. She stated that the MOU is between the Washington County Board of County Commissioners, the Washington County Board of Education and the Town. She further stated that this is the next step in the progress of the Realignment Project. **Motion** by Council Member Kerns, second by Assistant Mayor Nally approve the Tri-Party Memorandum of Understanding for the Chase Six Boulevard and Campus Avenue Realignment Project. **Motion carried**

**Proposed Fee for Construction and Inspection of Future Projects:** Town Manager Souders stated that the Proposed Fee for Construction and Inspection of Future Projects is just for discussion this evening. She stated that Public Works Superintendent Huntsberry has been spending a considerable amount of time and energy onsite at the Projects currently going on in Town, and that the Town's General Fund is paying for that time. She stated that she is proposing that the Town adds a 1% fee on all cost estimates for Projects to help cover the Town's costs for Superintendent Huntsberry's time. Town Manager Souders stated that this will get Developers used to paying the costs the Town incurs and help recover some of the funds spent for Superintendent Huntsberry's time. Town Planner Bowen stated that it could be a 1% of total cost fee or a flat fee. He stated that he will prepare a Staff Report for the next Mayor and Council Meeting.

## **COMMISSION REPORTS**

**Park Board** – *Council Member Weaver*. Meeting held on April 23, 2025. Discussions included updates on the Boy Scout Eagle Scout Bluebird Nesting Boxes, updates on the Girl Scout Silver Award Buddy Bench, updates on the Shafer Park Clean-Up and Walking Trail Ribbon Cutting Ceremony on April 17, 2025, update on the Pollinator Hotel and Owl Nesting Boxes, updates on the Fishing Derby, updates on the Wagon Trail event, updates on the Independence Day event, and updates on the Summer Concerts and Outdoor Movies. This Meeting was the Annual Shafer Park Walkthrough.

**Boonsboro Municipal Utilities Commission** – *Assistant Mayor Nally*. No Meeting held during the month of April 2025.

**Planning Commission** – *Council Member Kitchen*. Meeting held on April 22, 2025. Discussions included the review of the 3<sup>rd</sup> revised draft of the Final Plats from the Washington County Board of Education for the McIlwee Subdivision, review of the draft Goals and Objectives and draft Transportation Chapter of the Comprehensive Plan, the review of the draft Policy on Storm Water Management Ponds being maintained by HOA's or private ownership, information on Growth Policies Elements for future development and Staff Reports.

**Economic Development Commission** – *Assistant Mayor Nally (Council Member Hanson was on vacation)*. Meeting held on April 28, 2025. Discussions included the upcoming grant opportunities, the Downtown Beautification Project, the next Networking Meeting which will be held on May 15, 2025 at the Boonsboro American Legion Clopper-Michael Post 10, the Quarterly Rack Cards, plans for upcoming events and Committee Reports.

**Environmental Commission** – *Council Member Hollingshead*. No Meeting held after the April 2025 Mayor and Council Meeting.

**Motion** by Council Member Hollingshead, second by Assistant Mayor Nally to adjourn the Regular Meeting at 8:55PM. **Motion carried.**

Respectfully submitted,  
Kimberly A. Miller, Office Manager