

BOONSBORO MAYOR AND COUNCIL
REGULAR MEETING MINUTES
Tuesday, November 12, 2024

The Mayor and Council of Boonsboro held their Regular Meeting on Tuesday, November 12, 2024 in the Town Annex Meeting Chambers. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Ray Hanson, Marilee Kerns, Eric Kitchen, Terri Hollingshead, and Ricky Weaver. Also present were Town Manager Rachel Souders, Office Manager Kimberly Miller, Town Planner Drew Bowen, Public Works Superintendent Greg Huntsberry, Utilities Superintendent Pete Shumaker, Police Sergeant Rob Whittington, Police Operations Manager Amy Rudy, and Boonsboro Municipal Utilities Commission Chairman Colin Shanaberger. Police Chief Dave Rizer was not in attendance. The meeting convened at 7:00PM with the pledge and 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 **October 14, 2024 Regular Meeting** and the **October 28, 2024 Workshop Meeting Minutes** as amended. **Motion carried.**
- **Motion** by Council Member Kerns, second by Council Member Hanson to approve the **October 2024 Treasurer’s Report.** **Motion carried.**

GUESTS

Presentation of Fiscal Year 2024 Financial Audit: Jason Knode, CPA for *Albright, Crumbacker, Moul & Itell, LLC*, presented the Fiscal Year 2024 Audit Summary for the year ending June 30, 2024 of the General, Water and Sewer Funds. Mr. Knode reviewed that the assets of the Town exceeded its liabilities at the close of the Fiscal Year by \$15,701,613 (net position) and of this amount \$5,713,725 (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 \$7,441,705, which is an increase of \$978,727 from the prior year, and that the unrestricted net position of the Water Fund and Sewer Fund increased by \$787,347 at the end of the Fiscal Year, in the amounts of \$301,080 and \$486.267, 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. Knode 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.

- Assistant Mayor Nally asked Mr. Knode to share their conversation regarding the Sewer Funds debt that was discussed during the Audit Review on October 30, 2024. Mr. Knode stated that it was brought up that it would be in the best interest of the Town to formally discuss what to do with the \$2,808,309 Sewer Fund debt to the General Fund. He stated that the debt has been hanging out there for many years and that there needs to be some movement on that debt. The Mayor and Council will place this as an Agenda item at a later date for further discussion.

Motion by Assistant Mayor Nally, second by Council Member Kerns to approve the Fiscal Year 2024 Financial Audit for the year ending June 30, 2024 as presented. **Motion carried.**

2024 Farmer’s Market Recap – *Kathy Vesely and Jennifer Raab – Farmer’s Market Co-Managers.* Ms. Vesely and Ms. Raab presented the recap for the 2024 Farmer’s Market. They stated that this was their 10th season of hosting the Market and that 8,523 people attended this year. Ms. Raab stated that the Farmer’s Market has become a Tuesday destination, that it is important and valuable to our community and that people love it and it is a highlight of the Town. Ms. Vesely stated that shoppers like the Frequent Buyer card program and the drawing for prizes at the end of the season. She stated that they had several events this year including the mini recycling event, the ‘bring your dog to the market’ day, the ‘bring-a-bag take-a-bag’ program, and the scavenger hunts. Ms. Raab stated that they had at least 20 vendors each week and sometimes up to 26 vendors. She stated that the high numbers this year were due to a great social media presence, the Maryland Money Market Program, and the Snap Program. Ms. Vesely and Ms. Raab concluded by announcing that the Boonsboro Farmer’s Market won 2nd place as the best market in the tri-state area.

FACILITIES REPORTS

PUBLIC WORKS SUPERINTENDENT’S REPORT – *Greg Huntsberry*

- Stated that Shafer Park is closed for the season and the handicap port-a-john has been delivered.

- Stated that the Christmas lights are going up and the light poles will be decorated soon.
- Stated that we received the Washington County Grading Permit for the Shafer Park Walking Trail Phase IV Project. Stated that Huntzberry Brothers are currently out of town and that the paving of the Trail Project will be completed when they are back as long as the weather does not get too cold.
- Stated that the Disk Golf Course was laid out in Shafer Park today and equipment will be installed soon.
- Stated that there was a sewer back-up at 132 Orchard Drive due to flushable wipes and grease. Stated that Roto Rooter was called out to service the line. Staff will post in the Town newsletter and online reminding residents to not flush wipes or pour grease down their drains.
- Stated that the sewer hook-up for Branded Chophouse, at 7704 Old National Pike, is completed and ready to go.
- Stated that work at the Easterday's development was going well until today. Stated that the Town had to issue a stop work order because the Easterdays breached their contract by showing up while the Town was conducting an inspection.

WATER AND SEWER SUPERINTENDENT'S REPORT – Pete Shumaker

- Stated that they had to pull a failed pump at the Keedysville Spring Plant and are replacing it.
- Stated that the Shafer Park Well passed all of the tests and can now be hooked up to the water plant.
- Stated that it is about a 6-week wait for the replacement pump for the Crestview/Route 34 location and that they have the old pump running there now.
- Stated that HRI, Inc. is coming back to redo the storage buildings at the Dewatering Press. Stated that it was not done correctly and needs rebuilt, noting that it is a tongue-and-groove construction and that it is not connected properly.

TOWN MANAGER'S REPORT – Rachel Souders

- Stated that she has 6 Rural Maryland Economic Development Fund Grant reports due soon. Stated that the Fiscal Year 2025 Program Open Space Grant application needs revised, that the Legislative Bond Initiative Grant application information needs loaded into the new portal, and that she plans to submit the Fiscal Year 2026 Program Open Space Grant application for all-inclusive playground equipment for Shafer Park.
 - Stated that a child with autism spectrum disorder had to be cut out of a baby swing at Shafer Park. Stated that the mother asked if the Town could purchase an all-inclusive swing for kids over age 5 and that the cost will be around \$800 just for the swing. Stated that she would like to have multiple options for kids with special needs and that grant funding is a must.
- Stated that the Wolfsville Commons townhome residents meeting went well on November 7, 2024. Stated that they had a good discussion of top priorities that need addressed. Stated that Public Works Superintendent Huntsberry filled in the existing potholes in the townhomes parking lot with the leftover millings from the recent road paving.
- Stated that she is gearing up for Fiscal Year 2026 Budget preparations and noting items that can be improved upon. Stated that she wants to start preparing the Budget right after Christmas.
- Stated that the Mr. Christmas Turkey Trot 5k will be held on Thanksgiving morning at 8:30am in Shafer Park. Stated that there is no registration fee and that they are accepting donations of non-perishable foods for local food banks and monetary donations towards their Adopt-a-Family Program.

PLANNER'S REPORT – Drew Bowen

- Stated that all of the contracts for the Reservoir Replacement Project have been signed and that the Project is moving forward.
- Stated that he is meeting with the engineers and State Highway Administration regarding the high-pressure line in Crestview that is needed for the Reservoir Project. Stated that he will be reaching out to the Crestview HOA for approval for the line location.
- Stated that the Town is moving forward with the land swap of 202 Maple Avenue for the Chase Six Boulevard – Campus Avenue Realignment Project. Stated that he is working with the Washington County School Board to get permission because Mr. McIlwee would like to have a pole building in the new location before Christmas. Stated that Campus Avenue road construction has to start as soon as school lets out for the Summer.
- Stated that he has a possible Board of Zoning Appeal case for 121 South Main Street to change the Zoning of a house from a single-family dwelling to four apartments.

Council Member Kitchen asked if it true that the owners of 50 St. Paul Street did construction work without a Washington County permit. Town Planner Bowen stated that this is true. Council Member Kitchen stated that we need to focus on the Comprehensive Plan, noting that the Town is growing and we currently only have ninety-two water taps available. He suggested that the Town do an Interim Comprehensive Plan to help assist the Town staff and to help manage the growth.

Town Planner Bowen stated that he will take that suggestion to the Planning Commission. Council Member Kitchen stated that it needs to be done correctly so that the Public Works Department and Town staff do not get overwhelmed.

POLICE DEPARTMENT REPORT – *Sergeant Rob Whittington*. The Police Department received 65 calls for service, which included 203 motor vehicle violator contacts, 0 Parking Citation and 372 Traffic Enforcement/Patrol Checks for the month of October 2024. There was 1 adult criminal arrest, 0 adult paper service arrests, 0 adult traffic arrests and 0 juvenile arrests.

- Stated that October 2, 2024 was Officer Sword’s last day of his FTO (Field Training Officer) Program
- Stated that Officer Sword and he were on hand for the *Rally for Democracy* in Shafer Park on October 19, 2024 and that about thirty people were in attendance.
- Stated that Officer Sword and he were on hand for the *Cruise for Kidz Trunk-n-Treat* in Shafer Park on October 20, 2024 and it was a huge event with many people in attendance.
- Stated that Office Rogers completed his Comparative Compliance training on October 25, 2024 and started his FTO (Field Training Officer) Program on October 28, 2024.
- Stated that all of the Police Department personnel participated in the Trick-or-Treating event on October 31, 2024.

MAYOR AND COUNCIL UPDATES and CORRESPONDENCE

- **Mayor Long** stated that he attended the Maryland Municipal League Fall Conference in Cambridge, Maryland last week. Stated that there were 410 attendees representing 90 Municipalities.
- **Mayor Long** stated that Assistant Mayor Nally and he attended the Boonsboro High School Veterans Day Program on Friday, November 8, 2024.

NEW BUSINESS

Municipal Government Works Month Proclamation: Mayor Long presented the Proclamation proclaiming November 2024 as Municipal Government Works Month in accordance with Maryland Municipal League. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to proclaim November 2024 as Municipal Government Works Month. **Motion carried.**

Recommendation - Revisions to Personnel Manual: Town Manager Souders stated that the Personnel Committee has been working on the updates to the Personnel Manual for the past few weeks and that they shared it with the Mayor and Council at the October Workshop Meeting. She reviewed the following updates:

- Page 4 – Updated Elected and Appointed Officials Summary page
- Page 5 – Updated Chain of Command page
- Page 7 – Added Administrative Leave for a job well done
- Page 12 – Added Uniform Allowance for the Public Works staff for \$200 towards footwear
- Page 16 – Added Floating Holidays for the Police Department. *‘Full-time sworn officers of the Boonsboro Police Department receive “floating holidays.” Floating holidays are earned as each holiday occurs, cannot be carried over into the next year, and are non-compensatory. Floating holiday accrual begins on July 1 of each year and ends on June 30. Any floating holidays remaining after June 30 will be forfeited. Full-time officers who work on a Town-observed holiday receive regular pay for time worked. Part-time sworn officers who work on Town-observed holidays receive either double pay for hours worked OR regular pay plus comp time for hours worked.’*
- Page 17 – Added Recognition of 20 Years of Service with an addition of a one-time 40 hours leave bonus
- Page 22 – Added Health Insurance Benefit Credit. *‘If an employee is covered under another plan and elects to opt out of the Town’s health insurance benefits, the employee may be eligible for the Health Insurance Benefit Credit. Eligibility will be evaluated at the beginning of each calendar year. Eligible recipients are full-time, non-probationary employees who did not elect coverage under Town insurance during the prior 12-month period. Employees will have the option of receiving \$1,000 or 40 hours of vacation leave.’* (Modeled after Washington County)
- Page 26 – Updated Job Descriptions and Pay Grades
- Page X- Updated Police Sergeant job description
- Page CC – Removed Police Department Administrative Specialist and added Police Department Operations Manager

Council asked that the “Maryland Drivers License” be changed to simply “Driver’s License” in the Police job descriptions.

Motion by Council Member Hanson, second by Council Member Hollingshead to approve the revisions to the Personnel Manual with the requested corrections. **Motion carried.**

Resolution 2024-06; Amendment to Resolution 88-9; Amended by Resolution 2003-09; Bidding Procedures: Town Manger Souders stated that she is recommending Resolution 2024-06; *Amendment to Resolution 88-9; Amended by Resolution 2003-*

09; *Bidding Procedures* for the Mayor and Councils review and input, which was introduced at the October 2024 Workshop Meeting. She stated that she is recommending amending Resolution 2003-09; *Bidding Procedures* because it has not been updated in 21 years and that after reviewing the current Resolution, she was surprised to see how brief the Procedures are compared to Washington County's Bidding Procedures, noting that she used theirs as a reference point for the proposed updates. Town Manger Souders reviewed some of the proposed updates including amending Article I. Purchases and Contracts Requiring Sealed Bids and Article II. Purchases and Contracts Requiring Competitive Quotes by increasing the threshold from \$20,000 to \$50,000, noting that anything between \$1,000 and \$50,000 would require three (3) competitive quotes and anything above \$50,000 would require sealed bids. She stated that she is recommending that a Selection Committee, consisting of members who have a direct involvement and subject knowledge, be formed to open, and thoroughly review bids, and make their recommendations to the Mayor and Council. She further stated that she is recommending that the Town add Article IV. Sole Source Procurement, Article V. Solicitation Time of at least twenty-one calendar days, Article VI. Emergency Purchases and Article VII. Green Purchasing Policy to coincide with the Town's Sustainable Procurement Policy to the Resolution as well. Council Member Hanson stated that he has an issue with and is not in favor of Article VII. Green Purchasing Policy. He stated that it is not necessary, and he would make the motion to remove it from the proposed Resolution. Town Manager Souders stated that it was taken from the Town's Sustainable Maryland Procurement Policy.

- **Motion** by Council Member Hanson, second by Council Member Kerns to strike Article VII. Green Purchasing Policy from Resolution 2024-06; *Amendment to Resolution 88-9; Amended by Resolution 2003-09; Bidding Procedures*. **Motion carried.**
- **Motion** by Council Member Kerns, second by Assistant Mayor Nally to approve Resolution 2024-06; *Amendment to Resolution 88-9; Amended by Resolution 2003-09; Bidding Procedures* as amended. **Motion carried.**

Recommendation - Approval of Contract of Sale: Town Manager Souders stated that she is requesting to table this Agenda item until all of the information is received from the Town Attorney.

Personnel Committee Recommendation for Employee Promotion and Pay Increase: Town Manager Souders stated that Public Works employee Curtis Wyand recently passed his Water Distribution Certification test, and that he is eligible for a promotion. She stated that Public Works Superintendent Huntsberry and the Personnel Committee are recommending a promotion from a Public Works Municipal Service Worker I to a Public Works Municipal Service Worker II as well as a pay increase. **Motion** by Council Member Hanson, second by Assistant Mayor Nally to promote Curtis Wyand to a Public Works Municipal Service Worker II. **Motion carried.**

Recommendation - Contract Award: Engineering Services During Construction and Construction Management and Inspection of Reservoir Contract NO. R-2: Town Manager Souders and Town Planner Bowen presented the results from the Request for Proposals for the Engineering Services During Construction and Construction Management and Inspection of Reservoir Contract NO. R-2 for the Mayor and Councils review and input. Town Manager Souders stated that two bids were received on October 18, 2024 from reputable firms that the Town has previous experience with, and she presented the following bid results:

- **Whitman, Requardt and Associates, LLP \$506,813**
- **ARRO Consulting, Inc. \$352,000**

Town Manager Souders stated that the Boonsboro Municipal Utilities Commission thoroughly reviewed the bids and after taking into consideration the Project continuity, field office location and cost considerations they are recommending that the Mayor and Council approve the contract with ARRO Consulting. She stated that the Town staff agrees with the BMUC recommendation. **Motion** by Council Member Kitchen, second by Assistant Mayor Nally to award the contract for the Engineering Services During Construction and Construction Management and Inspection of Reservoir Contract NO. R-2 to ARRO Consulting, Inc. at the total cost of \$352,000. **Motion carried.**

- Boonsboro Municipal Utilities Commission Chairman Shanaberger stated that Public Works Superintendent Huntsberry is great at his job, but it is not fair to put the Reservoir Construction Management on his shoulders, noting that this is why we needed to hire a firm to oversee everything.

COMMISSION REPORTS

Park Board – Council Member Weaver. Meeting held on October 23, 2024. Discussions included the updates on the Shafer Park Walking Trail Phase IV Project, updates on the Basketball Court Repaving Project, updates on the Disc Golf Course and an update on plans for Olde Tyme Christmas. The next meeting will be held at the Community Center on December 4, 2024.

Boonsboro Municipal Utilities Commission – *Assistant Mayor Nally*. Meeting held on October 16, 2024. 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 Lead Service Line Inventory Action Plan, the Internal Water Audit, the Reservoir Contingency Plan, the ARM Group LLC Geophysical Survey, a proposal of a BMUC Charter Amendment to allow email voting, the EDU availability update, the recognition ceremony to honor Ray Hoffman for his commitment to facilitating the Dewatering Press, the plans to create an Ordinance Regarding Water and Wastewater Pre-Treatment and System Reports.

Planning Commission – *Council Member Kitchen*. Meeting held on October 22, 2024. Discussions included updates on the progress of the Comprehensive Plan, Concept Plans for the McIlwee New Parcel Lot Layout, the High's Dairy Store revised Site Plans, the Utility Plans for the Sanitary Sewer Connections at the Auction House and the Boonsboro Rescue Company, the draft of the Final Plats for the Washington County Board of Education and McIlwee Subdivision, the Chapter One draft of the Comprehensive Plan and Staff Reports.

Economic Development Commission – *Council Member Hanson*. Meeting held on October 23, 2024. Discussions included Grant Opportunities through the Rural Maryland Economic Development Grant which include the National Road Museum bathroom update, Cultural Trail Feasibility Study, the EDC Website and the Traffic Circle Improvements and the Facade Improvement Grant, an update on the Downtown Beautification Program, upcoming Business Ribbon Cuttings, the Quarterly Rack Cards, updates on Main Street Maryland, setting a date to meet to discuss the Comprehensive Plan, the report on the Familiarization Tour held on September 24, 2024, new business activity and updates and Committee Reports. The Commission Mixer Networking Meeting will be held on November 14, 2024 at the Boonsboro American Legion at 6:00pm. The next EDC Meeting will be on December 11, 2024 in the Town Annex at 8am.

Environmental Commission – *Council Member Hollingshead*. Meeting held on October 9, 2024. Stated that no meetings have been held since the October 14, 2024 Mayor and Council Meeting.

Council requested that Town Lobbyist Roger Manno provide a quarterly report on his progress for the Town.

Motion by Council Member Weaver, second by Council Member Hanson to adjourn the Regular Meeting at 9:30PM. **Motion carried.**

Respectfully submitted,

Kimberly A. Miller, Office Manager