

BOONSBORO MAYOR AND COUNCIL WORKSHOP MEETING MINUTES Monday, February 24, 2025

The Mayor and Council of Boonsboro held their Workshop Meeting on Monday, February 24, 2025 in the Meeting Chambers to set the Regular Session Agenda for Monday, March 10, 2025. In attendance were Mayor Howard Long, Assistant Mayor Tony Nally, Council Members Ray Hanson, Terri Hollingshead, Marilee Kerns, Eric Kitchen and Ricky Weaver. Also present were Town Manager Rachel Souders, Office Manager Kimberly Miller, Town Planner Drew Bowen, Police Sergeant Rob Whittington, and Police Officer Billy Gilbert. The meeting convened at 7:00PM.

Guests

- **Kathy Vesely**, *Environmental Commission* – Stated that she mentioned at the Economic Development Commission Networking Meeting that Sustainable Maryland Certified dinged the Town last year because we do not have enough community involvement and we were not awarded the Silver status. Stated that the National Wildlife Federation and Johnson Outdoors partnered to create the ‘Clean Earth Challenge’ in 2022 and it is making a huge difference in communities across the nation. Stated that she would like to hold a month-long Town-wide Litter Clean-Up Event and involve the Town businesses, Boonsboro School students for earning SSL hours and our neighborhoods. Stated that there would be no cost to the Town other than the purchase of disposable gloves, that she would like for it to be held in April 2025 and can include the Shafer Park Clean-Up Day on April 27, 2025. Mayor Long declared April 2025 Clean-Up month. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to join and participate in the ‘Clean Earth Challenge.’ **Motion carried.**
- **Reuben Moss**, *National Road Heritage Foundation* – Stated that as of this past weekend, the National Road Museum has welcomed over 200 guests from 44 Communities in 6 different States. Stated that they have moved the ribbon cutting ceremony to June 21, 2025 but will still host a small event on March 29, 2025 commemorating the ‘Start of the National Road Day’ on March 29, 1806. Stated that the NRHF has a few requests:
 - Request to use the Town’s 10x20 tent for March 29 and June 21 events
 - Request to use a section of the Shafer Park Community Center parking lot to showcase 1800s and 1900s bicycles for both events, with high wheel demonstrations
 - Request to host an ‘Evolution of the Bicycle’ parade in conjunction with the ribbon cutting ceremony on June 21 and possibly close Park Lane to one-way traffic
 - Stated that the National Pike Festival and James Shaul Wagon Train may be able to provide a horse and wagon and give short rides in the Park for the June 21 event

Citizens Comments *(must sign in and limit comments to 3 minutes)*

- Barbara Wetzel, *Environmental Commission* – Provided an update on the Glass Crusher Project. Stated that they received a \$25,000 Grant from the Nora Roberts Foundation (requested \$100,000). Stated that they can apply for grant funding through Sustainable Maryland and that there will be other grant opportunities. Stated that the glass crushing machine costs \$75,000 and that there will be an additional \$15,000 incurred for site preparation including the pole building and concrete slab, shipping and the machine set-up. Town Manager Souders stated that \$7,000 will be put in the Fiscal Year 2026 Budget for the Project.
 - Stated that the Green Fest Swap and Recycling Event will be held on Saturday, May 10, 2025 from 9am to 2pm in Shafer Park

Workshop Business

Sewer Debt Discussion: Assistant Mayor Nally stated that the Sewer Fund is currently in debt to the General Fund for \$1.8 million which was borrowed from the General Fund over the past 15 years because the Sewer Fund could not manage its expenses, noting that a payment plan has never been put in place. He stated at the Fiscal Year 2024 Audit presentation in November 2024 Town Auditor, Jason Knode, stated that the Sewer Fund needs to start trying to repay the debt or make other considerations:

“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.”

Assistant Mayor Nally stated that \$1 million of the debt was paid back to the General Fund and he is asking that the Council forgive the remaining \$1.8 million that the Sewer Fund owes to the General Fund. He stated that the Sewer Fund is now in a good position and that the Fixed Fee Rate was increased and will be increased again this upcoming Fiscal Year. Council Member Kerns stated that we may need to carry the debt to receive future grant funding opportunities and suggested weighting the Fiscal Year 2026 Budget heavier to the General Fund and lighter to the Sewer Fund for shared expenses. She stated she would like to see the Sewer Fund make an effort to pay back the General Fund and requested that Assistant Mayor Nally reach out to the Town Auditor and ask what an acceptable payment amount is. Council Member Hanson suggested deferring the repayment of the debt and extending the deferment period every year as needed. Council Member Kitchen stated that he appreciates Council Member Kerns input but that he is in favor of wiping the Sewer Fund debt slate clean. He stated that he does not see the point of carrying the debt on the books for grant funding and referred to the “7-Year Plan.” Town Manager Souders stated that she does not have the accounting background that Council Member Kerns has and would be in favor of putting more of the shared expense weight on the General Fund.

Introduction of the Constant Yield Tax Rate (CYTR) Certificate Notice: Assistant Mayor Nally reviewed that the Town received the 2025 Constant Yield Tax Rate (CYTR) Certificate Notice from the Maryland Department of Taxation for the Tax Year beginning July 1, 2025. He stated that the Notice does not need to be advertised as long as the Town does not plan to change the Tax Rate and maintain the current .3591 rate. **Motion** by Assistant Mayor Nally, second by Council Member Kitchen to keep the current Constant Yield Tax Rate and place the Fiscal Year 2026 Real Estate and Personal Property Tax Rates on the March Regular Meeting Agenda. **Motion carried. (NEW BUSINESS)**

Stormwater Management Ponds Ordinance: Town Planner Bowen stated that the Town owns around thirty-five stormwater management ponds and asked if the Mayor and Council want the Developers and Home Owners Associations (HOA) to maintain them 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 them is that there are MS4 permit regulatory controls over them. He stated that the ‘negative’ of having the Developers and HOAs managing them is that residents may get upset that their HOA fees are going towards the treatment of the storm water in ponds. Town Planner Bowen stated that he feels that a Policy would be a better route because it could be easily updated and changed as needed. He stated that he will make a map of all of the stormwater management ponds in Town and who owns them for the March Regular Meeting. [*Town Planner Bowen was asked to draft a Stormwater Management Pond Policy for review at the February Workshop Meeting at the February 10th Meeting*] **(NEW BUSINESS)**

Town Farm Staff Report & Discussion: Town Planner Bowen stated that Chris and Tracy Thomas, of Thomas and Son Farms, attended the January Regular Meeting with the request to purchase approximately 77.8 acres of the northern portion of the Town Farm, located on Monroe Road, that the family has been leasing from the Town and cattle farming for decades, noting that the Council requested that he prepare a Staff Report for their review and input. Council Member Kitchen addressed Chris and Tracy Thomas and said that he has nothing against them at all and asked if the Town is using the 77.8 acres for our MS4 Permit. Town Planner Bowen stated no. Council Member Kitchen stated that there is no intention of developing this land and that he personally contacted the Maryland Agricultural Land Preservation Foundation. He stated that in order for the Town to sell the 77.8 to the Thomas’s and for them to add the land to the Farmland Preservation the Town would first have to de-annex the land and remove it from the Smart Growth Area. He suggested that the Town keep the 77.8 acres and apply to be part of the Farm Preservation Foundation ourselves, noting that it would then still be the Town Farm and we could continue to lease it to the Thomas’s to farm. Chris Thomas spoke up and stated that it is actually a longer process for the Town and would be easier for them because their land is already part of the Maryland Agricultural Land Preservation Foundation. Council Member Kitchen stated again that he has nothing against the Thomas’s but he is against selling the Town Farm, from a business standpoint, and is in favor of continuing their Lease Agreement. Chris Thomas stated that he can understand that, noting that they are interested in putting up fencing around the area of the Town Farm that they use for their cattle grazing to help keep them contained and safe and asked if the Town would agree to that request. Council discussed this option and agreed that they would be fine with a fence installation. Town Manager Souders will reach out to the Town Attorney to have a new Lease Agreement with the Thomas’s drawn up to protect the Town Farm from being developed and to preserve it as farmland. **Motion** by Council Member Kerns, second by Assistant Mayor Nally to approve installing a fence to contain the cows on the Town Farm and to clear a 20-foot barrier around the fence for maintenance. **Motion carried.**

Future Growth: Town Manager Souders stated that there is a lot of development on the horizon for the Town and that there needs to be a discussion regarding if the Mayor and Council want to control the development or if they want to see the

growth. She stated the potential of more growth means that additional staff will be needed in Public Works, Water and Wastewater Operations, Police and the Town Office. She further stated that she would like to know how the Mayor and Council envision the Town. Council Member Kitchen stated that he created a draft Residential Smart Growth Policy and presented in at the April 2024 Meeting with hopes that the Council and the Planning Commission would give their input, and to date no one has responded except for Council Member Kerns. He stated that the intent to establish a Policy is to limit growth in a smart fashion which will allow roadways, drinking water and wastewater infrastructure, public schools, Police and Fire Departments, and so on to grow and adapt at a commensurate rate and to establish Impact Fees to generate additional revenue to pay for everything that comes with growth. Town Planner Bowen stated that the Planning Commission does not want to touch the Smart Growth Policy and that the Mayor and Council are in charge of creating the plan. He stated that the Planning Commission can give recommendations but that they have not yet, and that a strategic plan for growth is different than the Comprehensive Plan. Town Planner Bowen gave examples of what he did in Middletown, Maryland when he was the Town Manager there and stated that the Policy that they adopted allowed for a developer to build only twenty new houses per year. He stated that Middletown formed a committee of the Town Planner, two member of the Planning Commission, and himself and that they held three public meetings for community input. Council Member Kitchen stated that he would like to see the Council approve a Smart Growth Policy that can be modified as needed, and he reminded them that the Town only has one hundred water taps left. Town Manager Souders stated that the Town has a Water and Sewer Model that they paid over \$200,000 for, that the Town needs to recuperate that cost, and that the Model will need to be updated once it is used which will cost more money. She stated that the Town needs to impose Impact Fees for when developers use the Models. She further stated that as the Town grows, we will need more staff and a way to fund those positions. Town Manager Souders and Town Planner Bowen will work to determine what kind of help is needed to develop a Smart Growth Policy and Council Member Kitchen will email his draft Residential Smart Growth Policy to the Mayor and Council.

Council and Staff Updates

- Police Sergeant Whittington stated that Chief Rizer wanted him to talk to the Mayor and Council about his suggestion to create an 'Ordinance Code Book' to assist with enforcing citations and the book that he emailed from the Town of Hancock for reference. Council Member Hanson stated that he has plans to meet with Chief Rizer later this week to start working on that and that they will review Hancock's Code Book.

Motion by Council Member Hollingshead, second by Council Member Kerns to adjourn the Regular Meeting at 9:02PM.

Motion carried.

Respectfully submitted,
Kimberly A. Miller, Office Manager