

**BOONSBORO MAYOR AND COUNCIL  
FISCAL YEAR 2026 BUDGET MEETING  
and WORKSHOP MEETING MINUTES  
Monday, March 31, 2025**

The Mayor and Council of Boonsboro held their Fiscal Year 2026 Budget Meeting on Monday, March 31, 2025 in the Meeting Chambers. 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 and Public Works Superintendent Greg Huntsberry. The meeting convened at 6:00PM.

**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 started the presentation where she left off at the March 10, 2025 Regular Meeting. Highlights of the discussion included the Capital Improvement Project expenditures, the hiring of a part-time Public Works employee, the cost of the Lobbyist and Revenue from Tap Fees. Council thanked Town Manager Souders for her hard work on the Budget.

**At 7:00PM Mayor Long moved into the Workshop Meeting** to set the Regular Session Agenda for Monday, April 14, 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, Public Works Superintendent Greg Huntsberry, Police Chief Dave Rizer, Police Sergeant Rob Whittington, and Police Operations Manager Amy Rudy.

### **Guests**

- **Tyler Hornbecker, Edward Jones, Town Employee Retirement Benefits.** Assistant Mayor Nally reviewed that Wells Fargo Advisors is losing the ability to manage all of the Town's funds and that includes the Employees Retirement Account. He stated that the Council approve Tyler Hornbecker of Edward Jones as the new Advisor of the Employees Retirement Account at the March 2025 Regular Meeting. Mr. Hornbecker introduced himself. He stated that the Employees Retirement Account will still be administered by Smith, Elliott, Kerns and Company and that he, working for Edward Jones, will be the advisor like Bill Abeles, of Wells Fargo, was for many years. 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. Mr. Hornbecker stated that he 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.
- **Natoma Vargason, Appalachian Trail Committee Outdoor Festival.** Economic Development Commission Vice Chairperson and Appalachian Trail Committee Member Vargason stated that the Appalachian Trail United States Postal Stamp Dedication Event will be held on Friday, April 25 at 11am at the South Mountain State Park and is open to the public. She stated that she has been tasked with coordinating the Appalachian Trail Committee Outdoor Festival in Shafer Park on Saturday, October 18, 2025 from 10am to 5pm focusing on outdoor activities such as hiking, biking, camping and exploring everything that our area has to offer outside. She further stated that she obtained approval from the Park Board and is hoping to hold a Community Camp-Out Event that evening as well. Superintendent Huntsberry stated that they would have to do the Camp-Out in the NEW section of Shafer Park on Potomac Street because the Annual Cruise for Kidz Auto Show 'Trunk or Treat' Event is scheduled for Sunday, October 19, 2025 and they start their set-up Saturday evening.
- **Sherry Olden, Autism Awareness.** Ms. Olden introduced herself and stated that she owns the company So Kool Creations and More. She stated that she would like to host a Town-wide event to decorate the light posts, doors and railings with bows to promote that the month of April is Autism Awareness Month and that April 2<sup>nd</sup> is Autism Awareness Day. She further stated that 1 out of every 36 children in the United States has Autism and if she raises any funds from this event, they will be donated towards Autism Awareness. Council approved placing ribbons around Town, noting that Ms. Olden must have them removed at the end of April 2025.

### **Workshop Business**

**Sewer Debt Discussion:** Assistant Mayor Nally reviewed 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 established. 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. He stated that he is recommending that the Council forgive the remaining \$1.8 million that the Sewer Fund owes to the General Fund and wipes the debt clean, noting that instead of continually trying to budget to pay the General Fund back and not being able to this will give them a clean start. He further stated moving forward that any funds loaned to the Sewer Fund will be paid back as soon as possible. Council Member Kerns suggested using a portion of the Tax Revenue towards the Water and Sewer Funds Budget. Town Manager Souders will remove the ‘General Fund Loan Payments’ line item from the Sewer Fund Fiscal Year 2026 Budget. **(NEW BUSINESS)**

**Stormwater Management Ponds:** Town Planner Bowen reviewed that the Town has twenty-seven (27) stormwater management ponds and are currently only managing seven (7) of those ponds. He reviewed that the Mayor and Council need to decide what they want to do with the maintenance of the twenty (20) ponds currently maintained by development HOAs and if they want to establish a Stormwater Management Pond Policy. Town Planner Bowen stated that the Mayor and Council requested information on maintenance cost for stormwater management ponds to be able to better determine what the Policy should be for maintenance responsibility for ponds in future developments at the March 10, 2025 Regular Meeting. He stated that he reached out to the Town of Middletown and obtained a copy of their recently awarded Mowing Contract Bids.

*The cost calculations below are based on Town of Middletown’s Fiscal Year 2025 costs:*

<i>Average Cost per Acre/Cut</i>	<i>\$34.18/AC</i>
<i>Number of Cuts per Year</i>	<i>31</i>

<i>Stormwater Management Ponds maintained by the Town of Boonsboro (7) = 5.7AC x</i>	
<i>Cost per Acre/Cut</i>	<i>\$34.18/AC</i>
<i>Number of Cuts per Year</i>	<i>x 31</i>
<i>Estimated Yearly Cost</i>	<i>\$6,039.60</i>

Town Planner Bowen updated the map of all of the stormwater management ponds in Town and color-coded the Town’s seven (7) ponds in red. Public Works Superintendent Huntsberry stated that the Town also maintains the stormwater management ponds in the Sycamore Run Development which were not marked on the map, bringing the total Town maintained ponds to 15 out of 27. Town Planner Bowen stated that the GIS map says that King Road Associates still owns the ponds in Sycamore Run and asked if it is the Town’s intent to take over the development. Council Member Kerns asked if Town Planner reached out to Funkstown, Smithsburg or any of the other local Washington County municipalities to see what their stormwater management ponds policies are. Public Works Superintendent Huntsberry asked if there is any benefit to the Town if we take over the management of all of the ponds. Town Planner Bowen stated no, other than control over the maintenance of them. Town Manager Souder stated that if the Town takes the pond management away from the HOAs then they will never take the management back if the Town decides that they no longer want to manage them. She stated that the Planning Commission’s input and comments on the responsibility of the ponds is that the Mayor and Council need to make the decision on creating a Policy. Council Member Kerns stated that if a policy is going to be made then land owners need to be made aware that the Town is voting on something that will affect them. Public Works Superintendent Huntsberry stated that his staff is already stretched thin and he would rather not take over the maintenance on the additional twelve (12) stormwater management ponds. Council requested that Town Planner Bowen reach out to the neighboring municipalities to see what their stormwater management ponds policies are. **(NEW BUSINESS)**

**Proposed Text Amendment to Zoning Code:** Town Planner Bowen reviewed that he presented the recommendation, on behalf of the Planning Commission, 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 at the March 10, 2025 Regular Meeting. He stated that the recommendation is a result of there being no Site Plan filed and reviewed for the building behind Pathfinder Farm Distillery Tasting Room at 14 South Main Street. He further stated that a Site Plan would not be required if the answers to the following are all TRUE:

*A Site Plan shall be submitted to the Planning Commission for review and approval for all commercial, multifamily residential, institutional, and industrial buildings unless all of the following conditions are met:*

- A. *There is no change in the amount of parking needed.*
- B. *The intensity of the use has not changed.*
- C. *There are no exterior structural changes.*
- D. *The building or use has not been grandfathered.*
- E. *The building or site meets all existing regulations for the district in which it is located.*

*Parking requirements may be waived upon approval by the Planning Commission. The Zoning Administrator shall review all Change of Use permits to assure Site Plan requirements have been met.*

Town Planner Bowen stated that there will be a 3-year expiration date on all approved Site Plans and one 12-month extension may be granted IF progress is being made on the project. He stated that he is requesting permission to forward the proposed Amendment to the Town Attorney to put into a legal format for an Ordinance. **Motion** by Council Member Hanson, second by Assistant Mayor Nally to send the proposed Text Amendment to the Zoning Code to the Town Attorney to create an Ordinance and to schedule a Public Hearing. **Motion carried.**

**Resolution 2025-01; Boonsboro Police Department Parking Fine Schedule:** Police Chief Rizer presented Police Sergeant Rogers’ updated Resolution 2025-01; *Boonsboro Police Department Parking Fine Schedule* for the Mayor and Councils reviews and input, which was originally presented at the March 10, 2025 Regular Meeting. Council was pleased with the updates and especially liked the new Police Citation form. Council Member Kerns stated that her only concern is that the residents in Sycamore Run do not receive fines for blocking their sidewalks due to the small driveways that the houses there have. Police Chief Rizer stated that they would never fine someone due to that situation. Police Sergeant Whittington asked that the Town post the correct ways to park on a street on the Town Facebook page again. Office Manager Miller will make sure that is posted. **Motion** by Assistant Mayor Nally, second by Council Member Hanson to approve the Resolution 2025-01; *Boonsboro Police Department Parking Fine Schedule* as presented. **Motion carried.**

**Invitation to Participate in Sharpsburg Memorial Day Parade:** Town Manager Souders presented the invitation for the Council to participate in the 2025 Annual Sharpsburg Memorial Day Parade on Saturday, May 24, 2025. Council will let Town Manager Souders know if they plan to participate.

**Consideration of a Town Cannabis Ordinance:** Assistant Mayor Nally stated at the Maryland Municipal League Legislative Committee Meeting on March 26, 2025 they discussed Senate Bill 215, which is getting closer to passing. He stated that the discussion was if a Municipality does not have a current Cannabis Ordinance by July 1, 2025 they will fall under the current requirements. Assistant Mayor Nally stated that Senate Bill 215 determines where you can put a cannabis dispensary and where you can use cannabis. He stated that the Town can create an Ordinance to regulate where cannabis drinks, food and gummies can be sold in relation to the distance away from schools and parks. He referred to page 10 of the Senate Bill 215: 36-410.

- (d) *The distance requirements under subsection (b) of this section do not apply to a dispensary license that was:*
  - (1) *converted under § 36-401(b)(1)(ii) of this subtitle; and*
  - (2) *properly zoned and operating before July 1, 2023.*
- (e) *A political subdivision may not adopt an ordinance establishing zoning requirements for licensed dispensaries that are more restrictive than zoning requirements for a retail dealer licensed under this article.*
- (f) *A political subdivision may not adopt an ordinance:*
  - (1) *establishing a zoning requirement for a licensed grower cultivating cannabis exclusively outdoors in an area zoned only for agricultural use that is more restrictive than any zoning requirements that existed on June 30, 2023, governing a hemp farm registered under Title 14 of the Agriculture Article in the political subdivision; or*
  - (2) *prohibiting outdoor cannabis cultivation on a premises that was properly zoned for outdoor cannabis cultivation on or before June 30, 2023.*
- (g) *A political subdivision may:*
  - (1) *by ordinance, establish a distance limitation for dispensaries of up to 100 feet from an area zoned for residential use; or*
  - (2) *apply to dispensaries the distance limitation for licensed alcoholic beverage retailers from an area zoned for residential use.*
- (h) *A political subdivision shall grant a waiver to an ordinance that provides a distance requirement for dispensaries under this section for a licensed dispensary that was in operation before April 1, 2024.*

**(I) A POLITICAL SUBDIVISION THAT HAS NOT ADOPTED AN ORDINANCE UNDER SUBSECTION (C) OF THIS SECTION BEFORE JANUARY JULY 1, 2025, IS SUBJECT TO THE DISTANCE REQUIREMENTS UNDER SUBSECTION (B) OF THIS SECTION.**

Mayor Long requested that Town Manager Souders reach out to the Maryland Municipal League for additional information and then contact the Town Lawyer to see what the Town’s next steps are.

## Council and Staff Updates

- **Town Manager Souders** stated that a young man by the name of Chad Leather reached out to the Town and requested to name a street honoring Police Chief Kevin Morgan who passed away on April 13, 2024. She stated that Police Operations Manager Rudy reached out to the Morgan family and they said that Kevin would not have wanted a street named after him. They suggested planting a pink dogwood tree at the Police Department in his memory. Town Manager Souders will let the Mayor and Council know the date and time.
- **Town Manager Souders** stated that she is cancelling the April 28, 2025 Workshop Meeting unless something urgent arises. She stated that Mayor Long, Town Planner Bowen and she will be out of Town that day.
- **Assistant Mayor Nally** stated that Mary Jane Blickenstaff from the Boonsboro Ambulance and Rescue Company asked what day the Mayor and Council would volunteer to work as a group at the Annual Carnival. Consensus is to work Friday, May 30, 2025 at 5pm.

**Motion** by Assistant Mayor Nally, second by Council Member Hollingshead to adjourn the Regular Meeting at 8:35PM. **Motion carried.**

Respectfully submitted,  
Kimberly A. Miller, Office Manager