

MINUTES  
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING  
September 13, 2017

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, September 13, 2017, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Gary Baker, Mary Ann Brodie-Ennis, Donald Schildt, Russell Winch, and Debbie Zimmerman, Town Manager Gloria Long Rollins, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, 13 citizens, and Ken Kellar of the Woodsboro Times.

The meeting was called to order with the Pledge of Allegiance and a prayer.

1. MINUTES

*Commissioner Debbie Zimmerman made a motion, seconded by Commissioner Russell Winch, to approve the Town meeting minutes of August 23, 2017. The motion passed by a vote of 4-0-1, with Commissioner Mary Ann Brodie-Ennis abstaining.*

2. BELL PROPERTY – HARDSHIP REQUEST

Ms. Susan Hauver summarized the request received in a letter from Miles & Stockbridge attorney Noel Manalo. Woodsboro Pike, LLC requested relief from the provisions of Town Code Ch. 71, Art. VII, §71-13 F, limiting the preliminary plan approval period to two years plus a one year extension. They are requesting an additional extension of one (1) year to the preliminary plat approval. Discussion ensued and it was determined that there were time consuming negotiations and discussions involving the extension of water from the property to the Fountain Rock Road residents and that more time was warranted to complete the requirements to proceed.

*Commissioner Debbie Zimmerman made a motion, seconded by Commissioner Donald Schildt, to approve a one-year extension until February 10, 2019. The motion passed by a vote of 4-1, with Commissioner Russell Winch in opposition.*

3. SHEETZ/CLI – PUBLIC WORKS AGREEMENT, EASEMENT, LETTER OF CREDIT

*Commissioner Russell Winch made a motion, seconded by Commissioner Debbie Zimmerman, to approve the Standard Public Works Agreement, Easement, and Letter of Credit for public improvements to be constructed as part of the Sheetz/CLI development. The motion passed by a vote of 4-0-1, with Commissioner Mary Ann Brodie-Ennis abstaining.*

4. APPROVAL OF CHANGE ORDER – MEMBRANCE FILTRATION SYSTEM

Watek, subcontractor for Whitman, Requardt & Associates has made changes to the contract awarded to Pall Corporation for the Membrane Filtration System for the new water treatment plant. The changes result in additional charges of \$28,576. Commissioner Russell Winch noted that much of the change is a reallocation between contractors.

*Commissioner Russell Winch made a motion, seconded by Commissioner Gary Baker, to approve the change order in the amount of \$28,576. The motion passed by a vote of 5-0.*

5. PROCLAMATION IN OBSERVANCE OF CONSTITUTION WEEK 9/17 – 9/23/2017

Burgess Weddle read the Town's Proclamation 2017-01 honoring the Constitution of the United States and recognizing its importance to our freedoms.

6. COMMUNITY PARK POND – DECISION ON HOW TO PROCEED

Mr. DePaola reviewed his meeting with MDE at the Community Park pond. He reiterated the requirements to complete before randomly dredging the pond. An environmental consultant would need

to be hired to study the pond and Glade Creek, and could cost upwards of \$30,000. A joint Federal and State application would need to be completed by the consultant. No one made a motion to move forward on this. (unanimous consent)

#### 7. UPDATE ON AGAR 23 MEMORIAL ASSN. LLC

Commissioner Donald Schildt updated the commissioners on the installation of the memorial at Heritage Farm Park. The area will be excavated and the memorial group will bury recovered pieces of the wrecked plane on September 23, 2017 at 10:00 a.m. Town will then pour the concrete base that will receive the memorial and benches in the future.

#### 8. ACCOUNTS PAYABLE

*Commissioner Russell Winch made a motion, seconded by Commissioner Gary Baker, to pay the attached bills. The motion passed by a vote of 5-0.*

#### 9. COMMISSIONERS' CONCERNS

Commissioner Donald Schildt noted that the brick wall at Memorial Park has been completed and that we need to consider future expansion.

Commissioner Donald Schildt reported that the Veterans' Day ceremony at Memorial Park is planned for Sunday, November 12<sup>th</sup> at 1:00 p.m. and is in process.

Commissioner Donald Schildt suggested that the Town should approach Ralph Whitmore, owner of the impending solar farm on Biggs Ford Road, and ask that the property be annexed into Town.

Discussion ensued about the comment period for the Biggs Ford Solar Farm. The applicant is seeking approval from the Maryland Public Service Commission, and bypassing new Frederick County regulations that prohibit the development of solar farms in Priority Preservation areas (areas of prime farmland identified on the Frederick County Comprehensive Plan.

*Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Donald Schildt, to resend the Town's previous comments in regards to solar farms within the Town's zone of influence. The motion passed by a vote of 4-1, with Commissioner Russell Winch in opposition.*

Commissioner Mary Ann Brodie-Ennis reported on Town picnic held this past Saturday as part of the Town's anniversary celebration. Approximately 100 people attended, the Green Team did a composting bin presentation. 8 bins were sold at \$20 each. Kudos to town staff Kelly Woods and the work he did to assist with the picnic. And the hit of the day was the bio-degradable water balloon battles. Interest was expressed in having an annual event.

Commissioner Brodie-Ennis reported a complaint on the rough ride on Biggs Ford Road, with the caked mud during the Parkside construction activities. More cleaning of the road will be requested and when the development is complete, new paving will take place.

Commissioner Brodie-Ennis requested that packets and agenda be received in a more timely fashion, so that ample time is allowed to review items that require a vote.

Commissioner Russell Winch reported that he was sorry he had missed the picnic and agreed that the mud on Biggs Ford Road is unacceptable. Mr. DePaola will contact the contractors to request more frequent clean up of the mud associated with the construction.

Commissioner Debbie Zimmerman reminded everyone that the Walkersville Community Show is here in 2 weeks and encouraged everyone to bake their cakes!

Burgess Weddle reviewed the announcements at the bottom of the agenda and updated interested parties that the discussions for the Rutter's plans will be held in the upstairs as there seems to be a lot of interest.

Water disconnects will be held on Wednesday, September 20<sup>th</sup>, for residents who have not paid their May 1<sup>st</sup> water bills.

#### 10. CITIZENS' QUESTIONS AND CONCERNS

Tony Checchia, representing Andrew Toms' property adjacent to Walkersville Self Storage, told Commissioners that the 60 ft. right of way to extend Stauffer Court is no longer relevant. He also stated that the 30 ft. easement for the Calvary Assembly temporary egress/ingress is 17 years old and no longer relevant. The 30 ft. temporary access easement has never been executed from the church to the western boundary of the lot. He would like the two issues to be addressed by the Commissioners even though direction has been given to Mr. Toms and his attorney through the Planning Commission and the Town Attorney. He noted that these two items are impeding Mr. Toms' efforts to sell his property, and would like the 60 ft. reservation added to the farm and the 30 ft. notation removed from the plat. Burgess Weddle asked that the town receive this request in writing and then it can be added to a future agenda.

Andrew Toms, 211 Stauffer Court, resurrected the solar farm discussion noting that the current plan is a different animal. The Town should have been given notice previously and should adequately review what the owner is attempting to do. Public comments on the issue are due tomorrow.

Tom Gilbert, 56 Hampton Place, noted that he does a lot of walking around town and many of the sidewalks are in bad shape. He asked who is responsible and was told that Town Code §69-17 specifies that the maintenance and repair is the responsibility of abutting property owners.

Burgess Weddle reported a complaint that the lights at Memorial Park are annoying the neighboring property owners by shining in their windows. Mr. DePaola and staff will check it out.

The meeting adjourned at 8:45 p.m.

Respectfully submitted,

Gloria Long Rollins  
Town Manager