

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
April 11, 2018

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, April 11, 2018, 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, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, Town Manager Gloria Long Rollins, 20 citizens, and Nancy Lavin of the Frederick News Post.

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 March 28, 2018. The motion passed by a vote of 5-0.

2. PROCLAMATION 2018-01 – APRIL IS CHILD ABUSE PREVENTION MONTH

Burgess Weddle read the proclamation signed by the Burgess and Commissioners, designating April as the Month of the Young Child and Child Abuse Prevention Month 2018. Ms. Lynn Davis, Director of the Child Advocacy Center of Frederick County, along with volunteer Patty McCardle and canine representative Hodge were present to thank the Town for recognizing our commitment to protecting children. The Town Hall has been planted with an awareness garden of beautiful blue pinwheels for the month of April.

3. RESOLUTION 2018-01 – AMENDMENTS AND INTRODUCTION

Burgess Weddle reviewed the two versions of resolution 2018-01 and presented the changes below for discussion:

- *C3-2 C. Each elected official may not miss more than two consecutive regular scheduled meetings unless excused by vote of the Burgess & Commissioners for health or other personal issues. If an elected official misses more than three regular scheduled meetings within a calendar year of October 1st to September 30th then that elected official would not receive compensation for the month(s) when the fourth or more absence occurs.*
- *C3-4 Qualifications (Change from 3 years to 1 year) Each Commissioner shall have resided in the town for at least (1) one year immediately preceding the date to file a certificate of candidacy, ...*
- *C3-5 Salary (add language in capitals) ...equal for all commissioners BUT MAY BE REDUCED IN ACCORDANCE WITH c3-2 ABSENCE PROVISION, and shall be...*
- *C3-18 (Change 5 years to 1 year) ... and shall have resided in the town for at least (1) one year immediately preceding the date to file a certificate of candidacy.*
- *Charter Article VII – Change membership from 3 to 5, Change February to June, add word election prior year, Change term from one (1) year to three (3) years.*
- *C7-2 ...five (5) members (Change 3 to 5) ...on or before the first Tuesday of the month of June of an election year ... and run for three (3) years or until....*
- *C7-5 change February to June, add word election prior to year, delete language regarding 1977. In every election year, on the last Tuesday of the month of June, the Board of Supervisors...*
- *C7-9 change time from 1 p.m. to 8 p.m. to 7 a.m. to 8 p.m. ... the polls open from 7:00 a.m. to 8:00 p.m.*

Resolution 2018-01 was also presented with a W version which included all of the above items plus:
C7-11 ADD – Write in votes for individuals who did not file a Certificate of Candidacy pursuant to Chapter 22 Elections, will be disclosed by the Board of Supervisors of Elections but shall not be counted in determining the candidate(s) who received the highest number of votes.
(This was not the version introduced below).

There was no discussion regarding Ordinance 2018-03 which included the following changes:
Chapter 22-1 (Add new language as follows at the end of the current section)
“A person may not file a Certificate of Candidacy for more than one elected position.”
Pages 2202 and 2203 will have the Certificate of Candidacy amended changing 5 and 3 years to 1 year and election to date of filing Certificate of Candidacy.
(1) One year immediately preceding the filing of this certificate.

Commissioner Russell Winch made a motion, seconded by Commissioner Debbie Zimmerman, to Introduce Resolution 2018-01 and Ordinance 2018-03 as presented. The motion passed by a vote of 4-1, with Commissioner Donald Schildt in opposition. He explained it was due to the change in residency to 1 year.

4. ORDINANCE 2018-03- CHAPTER 22 - ELECTIONS

The ordinance was introduced above. There will be a public hearing on both the resolution and ordinance at the May 9th town meeting.

5. LETTER FROM MDE – AWARD WATER PLANT CONTRACT

Ms. Rollins directed commissioners to the letter received from Maryland Department of the Environment to Ms. Morales-Matias notifying us that the bidding procedures for our Walkersville Water Treatment Plant project are approved. The contract may be awarded to the low, responsive, responsible bidder, M2 Construction LLC., in the amount of \$7,512,375.00.

6. CONSTANT YIELD TAX RATE

Ms. Rollins reviewed the 2018 Constant Yield Tax Rate Certification from the State of Maryland Department of Assessments and Taxation. She noted that the Town’s current tax rate of 16¢ per \$100 of assessed value is exempt from advertising a tax increase due to the constant yield tax rate being 15.79¢.

7. TRASH CONTRACT RENEWAL

Discussion ensued regarding the multitude of complaints regarding the Town’s trash pickup service. The contract ends May 31st and the consensus was to go out to bid for a new contractor, hopefully to improve the service. Going month to month until the new contract is awarded is a question for the Town Attorney.

8. RUTTERS’ PUBLIC WORKS AGREEMENT/LETTER OF CREDIT/PUBLIC IMPROVEMENTS

Ms. Hauver reviewed the standard public works agreement, approved cost estimate and draft letter of credit for the public improvements to be installed on the Rutter’s property. The Public Works Agreement and letter of credit are worded according to our form, and the cost estimate was approved by the Town engineer. The letter of credit is from M&T Bank and has branches in Frederick County. She recommended approval of the documents.

Commissioner Russell Winch made a motion, seconded by Commissioner Debbie Zimmerman, to approve the Public Works Agreement, approved cost estimate and the draft letter of credit for the public improvements to be installed on the Rutter’s property. The motion passed by a vote of 5-0.

9. ACCOUNTS PAYABLE AND MARCH 2018 FINANCIAL STATEMENTS

Commissioner Russell Winch made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to accept the March 2018 financial statements and to pay the attached bills. The motion passed by a vote of 5-0.

10. COMMISSIONERS' CONCERNS

Burgess Weddle informed the commissioners that the final bill for our share of Richard Winn Lane has been received from Sheetz in the amount of \$58,736.21, a significant savings from our estimated and budgeted \$160,000.

Mr. Bob DePaola reported that he obtained estimates for the paving of Glade Village in the amount of \$135,000 and recommended replacement of the water lines in the Village in the amount of \$750,000. *Commissioner Donald Schildt made a motion, seconded by Commissioner Russell Winch, to go out to bid on the water line replacement and paving the streets of Glade Village (Sherwood Drive, Hampton Place, and Georgetown Road). The motion passed by a vote of 5-0.*

Discussion ensued on the members and alternates of the Ethics Commission. *Commissioner Debbie Zimmerman made a motion, seconded by Commissioner Russell Winch, to advertise for positions on the Ethics Commission. The motion passed by a vote of 5-0.*

Commissioner Donald Schildt reported that the Johnsons were thankful for the yellow curb painting across from the new library.

Commissioner Schildt asked if everyone had turned in their financial disclosure forms. Ms. Rollins reported that the Ethics Commission would be scheduling a meeting to review the forms and would determine if everyone required to turn them in had done so. She did report that 3 reminder letters and emails were sent to those in arrears.

Commissioner Schildt noted that he had reviewed the minute books since 2008 and that the Town has been reappointing committee members carte blanche. He believes every position should be advertised every time for every committee when terms are due. He said this affects §43-1, §88-59, §51-2, and §26-3.

Commissioner Schildt noted that sidewalks in the Town need to be readdressed and that the Code Enforcer should be pro-active because quite a few curbs need to be replaced. A rousing discussion ensued with Commissioner Russell Winch in favor of the Town rating and replacing the sidewalks as needed as a public safety concern for all Town citizens.

Commissioner Schildt also opined that it is time for the commissioners to again tour the Manor house at Heritage Farm Park as we are having a problem with the lights being left on and he had to get a lock cut off a door to get the lights turned out.

Commissioner Gary Baker asked if we are continuing to mow at the old library site now that the new library is open. Burgess Weddle reported that we are not mowing and directed staff not to mow the old site.

Commissioner Gary Baker reported that the Board of Appeals had considered a request for a variance on the sign size at the Walkersville Shopping Center, and denied the request. Town Zoning Administrator Hauver explained that the Board found that the legal criteria needed to grant a variance had not been met. They suggested the applicant approach the Town about changing the sign size requirements in the Zoning Ordinance.

Commissioner Mary Ann Brodie-Ennis asked when Challedon Drive would be repaved. Mr. DePaola assured her it should be started next week.

Commissioner Russell Winch reported that there continues to be heavy traffic from construction on Biggs Ford Road, from Parkside development to George Street to Glade Road. He noted that we should assure that they are notified that construction traffic is restricted through old town. *Commissioner Russell Winch made a motion to put up signs directing truck construction traffic to the truck route through town. The motion was not seconded.* Mr. DePaola will call the superintendents of all three of the Town development projects and notify them that construction traffic is no longer allowed through the town.

Commissioner Russell Winch questioned the notification system for developer blasting. Mr. DePaola reported that all blasting on the projects has been completed.

Commissioner Russell Winch discussed the Glade Road repaving noting the 2" milling and 2" overlay. Burgess Weddle reviewed the dates of the upcoming meetings and events, including:

- April 24, 7:30 – Planning Commission
- April 25, 7:30 – Town meeting
- May 2, 7:30 – Parks meeting
- May 5, 6:00 – AGAR 23 Memorial Gathering Dinner
- May 6, 10:00 – AGAR 23 Memorial Dedication Ceremony
- May 8, 7:30 – Planning workshop
- May 9, 7:30 – Town meeting
- May 19 – Walkersville Day
- May 22, 7:30 – Planning Commission
- May 23, 7:30 – Town meeting
- May 28 – Memorial Day observed – Office closed
- August 13, 4:30 – Deadline to file Certificate of Candidacy
- September 10 – Town Election

11. CITIZENS' QUESTIONS AND CONCERNS

Tim Christopher, author of "Growing Up in Frederick County", reported that his book will be featured in an article published in the Frederick News Post next Thursday in the 72-Hour magazine. He noted several businesses in Town that are selling the book and would like to offer it as a fundraiser for other non-profit organizations. Burgess Weddle recommended the Walkersville Historical Society and the Glade Valley Jaycees as possible organizations.

David Tueoy, complained about problems at the mulch pile as he claims to be a resident of Heritage Farm Park 9 months of the year. He was directed to Frederick County Solid Waste Management as they are operators of the mulch pile site.

Suzanne Koppanen, of Yogamour, Yogamour.org, reported they will be opening at 1 Worman's Mill Court, Suite 11 and will be offering an open house on April 21, free classes on April 22, and will be open for business on April 23.

At this point, Commissioner Donald Schildt reported that the Parks Committee needs to update their photo on the Town's website, to which Commissioner Debbie Zimmerman reported that we are working on it.

The meeting adjourned at 8:30 p.m. Next meeting will be April 25th.

Respectfully submitted,

Gloria Long Rollins
Town Manager