

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
May 9, 2018

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, May 9, 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, Town Manager Gloria Long Rollins, TFC Mike Meyers, 20 citizens, Nancy Lavin of the Frederick News Post, and Ken Kellar of the Woodsboro-Walkersville Times.

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

1. MINUTES

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Russell Winch, to approve the Town meeting minutes of April 25, 2018. The motion passed by a vote of 5-0.

2. CITIZENS' QUESTIONS AND CONCERNS

Because of the number of citizens present to request relief from high water bills, Burgess Weddle called for Citizens' Questions and Concerns before the business of the meeting.

Todd Keyser, of 211 Diamond Drive, requested that his water bill be eligible for a one-time reduction to the Town's Industrial rate. Burgess Weddle inquired if he had discussed this with Water administrative assistant and explained the Town's policy to allow a one-time recalculation. By consensus, the commissioners agreed to approve the recalculation.

Martha Stapleton, of 8897 Successful Way, reported coming home to a waterfall inside her house due to a broken water pipe. She requested a one-time recalculation of her bill to the Town's Industrial rate. By consensus, the commissioners agreed to approve the recalculation.

Michelle Sumpter, 8386 Curiosity Court, requested a one-time recalculation of her through-the-roof water bill, explaining that she had previously had family residing at the property and a broken pipe was discovered after they vacated. By consensus, the commissioners agreed to approve the one-time recalculation of her bill to the Town's Industrial water rate.

Chris Taylor, 229 Diamond Drive, requested a one-time recalculation of his water bill, due to discovering a running leak that has now been corrected. By consensus, the commissioners agreed to approve the one-time recalculation of his bill to the Town's Industrial water rate.

At this point, Ms. Rollins announced that the Town is now accepting citizen donations for the construction of the \$8.4 million dollar new water plant.

Sabrina Massett, Democrat primary candidate for Senate, District 4, introduced herself and explained her concerns and priorities for towns and citizens of Maryland.

3. PUBLIC HEARING ON RESOLUTION 2018-01 AMENDMENT TO THE TOWN CHARTER

There were no public comments on the following proposed changes to the Town Charter through Resolution 2018-01:

- 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.

Commissioner Russell Winch made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to adopt Resolution 2018-01 amendments to the Town Charter. The motion passed by a vote of 5-0.

4. PUBLIC HEARING ON ORDINANCE 2018-03 AMENDING CHAPTER 22 OF THE TOWN CODE - ELECTIONS

There were no public comments 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 Mary Ann Brodie-Ennis, to adopt Ordinance 2018-03 amending Chapter 22 – Elections, of the Town Code. The motion passed by a vote of 5-0.

5. INTRODUCTION OF ORDINANCE 2018-04 GENERAL FUND BUDGET

Commissioner Gary Baker asked for clarification on line item Parks-Program Open Space \$266,584. Ms. Rollins explained this is the estimated cost of the Heritage Farm Park recreational building and that the Town will be reimbursed by Program Open Space as shown in the revenue line item P.O.S. Grant \$189,925. Discussion resumed on the salary line item budgets, with Commissioner Donald Schildt reiterating that he would like to see salary increases capped at 3%.

Commissioner Donald Schildt made a motion to cap salaries at 3%. The motion died for lack of a second.

Discussion continued on staff benefits with Commissioners Debbie Zimmerman and Mary Ann Brodie-Ennis concerned that the Town funds the health savings accounts for the deductibles established by the plan of \$1,500 for single coverage and \$3,000 for family/spouse coverage. Ms. Rollins reminded commissioners that changing to the high deductible plan had saved the Town \$70,000 in the year we switched, even while funding the deductibles. Several arguments ensued regarding inclusion of bonuses in the figure, and the raises awarded by Frederick County Public Schools, and the ability of corporations to fund deductibles, and the longevity of current staff and the fact that rarely do people leave once they have committed to work for the Town. Commissioner Russell Winch reminded commissioners that the responsibility to evaluate staff and award raises falls on the supervisors who work with staff every day. Nevertheless, the annual argument rages with this line item basically the only one discussed, leaving supervisors and staff demoralized yet again.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Debbie Zimmerman, to cap raises at 4%. The motion passed by a vote of 3-2, with Commissioners Gary Baker and Russell Winch in opposition.

Commissioner Gary Baker made a motion, seconded by Commissioner Donald Schildt, to introduce Ordinance 2018-04 General Fund budget with change of capping salaries at 4%. The motion passed by a vote of 4-1, with Commissioner Russell Winch in opposition.

6. INTRODUCTION OF ORDINANCE 2018-05 WATER FUND BUDGET

Commissioner Debbie Zimmerman made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to introduce Ordinance 2018-05 Water Fund Budget with the change of capping salaries at 4%. The motion passed by a vote of 4-1, with Commissioner Russell Winch in opposition.

There will be a public hearing on Ordinance 2018-04 General Fund budget and Ordinance 2018-05 Water Fund budget at the next Town meeting on Wednesday, May 23, 2018.

7. LONGLEY GREEN - PUBLIC WORKS AGREEMENT, WATER TAP AGREEMENT, GUARANTEE

Ms. Hauver reviewed the documents for the development previously named The Glades, now called Longley Green. It is being developed by Verdant Development and is owned by Mike Staley, and located on the west side of Glade Road opposite the development of Winter Brook. Site improvement plans for the development of 20 townhouses have been approved. The public improvements will be guaranteed with cash to be held in escrow and water taps are planned to be purchased outright. Approval by the Commissioners means the Burgess is authorized to sign the documents upon receipt of the cash payments. The developer plans to write a zoning text amendment to allow for a height taller than 35 feet. The Planning Commission will review the text amendment and recommend it for the Burgess and Commissioners approval.

Mr. Tom Poss, of Verdant Development Group, explained that without the text amendment allowing the height higher than 35 feet, the townhouses would be limited to eight foot ceilings and flat roofs, which is damned unattractive to home purchasers. He noted that they are already losing 4 feet in the height due to the measurement method used from the apex of the roof to the road centerline.

Commissioner Russell Winch made a motion , seconded by Commissioner Debbie Zimmerman, to approve the Longley Green public works agreement, water tap agreement, and guarantee. The motion passed by a vote of 5-0.

8. BELL PROPERTY – PUBLIC WORKS AGREEMENT

Ms. Hauver reviewed proposed Public Works Agreement for the first phase of the development of the Bell Property. The cost estimate has been approved by the Town engineering firm. The developer will submit a draft letter of credit from United Bank, as approved at the last Town meeting. The first phase of 25 lots will be reviewed by the Planning Commission at their next meeting. The developer is finalizing an agreement with the Board of Education regarding the shared entrance opposite Antietam Drive. They have also agreed to extend water across the railroad tracks to serve Fountain Rock Park and three homes on Fountain Rock Road. Also included in this development are three streets named for fallen veterans Kershner, Brashears, and Cartwright.

Commissioner Russell Winch made a motion, seconded by Commissioner Debbie Zimmerman, to approve the Public Works Agreement for the Bell Property. The motion passed by a vote of 5-0.

9. UPDATE ON SELECTION OF BOND COUNSEL

Ms. Rollins updated Commissioners on the selection of a bond counsel for the loan from MDE to build the new water plant. RFP were mailed on Friday, April 27, with a response requested by Wednesday, May 16. Proposals will be evaluated and a recommendation will go before the commissioners at their May 23rd meeting.

10. UPDATE ON WELL DRILLING AT THE WATERSHED – EAGLE SCOUT PROJECT

Ms. Rollins reported that Mr. Ron Layman, manager of the watershed and supporter of Eagle Scout project of drilling a well on the property, has received the well drilling permit from the Frederick County Health Department, and the MD State Inspector has approved the project.

11. DISCUSSION OF WATER RATES AND TAP FEES

Commissioner Mary Ann Brodie-Ennis expressed her concern regarding the Town's low tap fees as compared to other municipalities. After much discussion, consensus was that tap fees should be raised by \$2,000 across the board, in and out of town and residential, commercial, and industrial.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Donald Schildt, to increase tap fees by \$2,000 in each category, Residential, Commercial, and Industrial, in and out of Town limits. The motion passed by a vote of 5-0.

A public hearing will be held on the increases on May 23rd, 2018.

12. DISCUSSION OF WATER VALVE AT PARKSIDE

Commissioners received a request from Public Works Director Bob DePaola to place a new valve on Biggs Ford Road. A new valve would insure the least amount of houses and Lonza would not be shut down as storm pipes are installed in the Parkside development. He is requesting the new valve be installed just past Lonza and before the homes on the right side of Biggs Ford Road. The quote received for the "wet tap" installation is \$17,500 plus \$1,500 per day for flagger services. Commissioners Mary Ann Brodie-Ennis and Gary Baker would like 2 bids/quotes. Commissioner Russell Winch and Mr. Tom Poss, developer at Parkside, attempted to explain the urgency of installing the valve without going through an advertising and bidding process. Mr. Poss explained that all of the stormwater management at Parkside is complete and they are trying to correct a ponding issue on Biggs Ford Road as directed by the Planning Commission. The problem it seems, is that the water mains are not installed at the level of the as-built plans, so the Town engineering firm designed a work around that involves several vertical bends in the water pipes. When the Public Works Director investigated this later, he realized that all the vertical bends would result in leak problems down the road and a cut-off valve would be instrumental in allowing repairs that could cause problems to Lonza and the residents if water was turned off often. Finally, it was agreed to approve with a not-to-exceed number.

Commissioner Debbie Zimmerman made a motion, seconded by Commissioner Russell Winch, to allow a valve to be installed on Biggs Ford Road at a cost not to exceed \$20,000. The motion passed by a vote of 3-2, with Commissioners Donald Schildt and Mary Ann Brodie-Ennis in opposition.

13. ACCOUNTS PAYABLE and APRIL 2018 FINANCIAL STATEMENTS

Commissioner Russell Winch made a motion, seconded by Commissioner Debbie Zimmerman, to approve the April 2018 financial statements and pay the attached bills. The motion passed by a vote of 4-1, with Commissioner Mary Ann Brodie-Ennis in opposition.

14. COMMISSIONERS' CONCERNS

Commissioner Donald Schildt reported that 24 students attended the National Prayer Day event. Commissioner Schildt asked for approval of Creamery Park to be used for the summer lunch program for hungry kids.

Commissioner Schildt expressed his disappointment that the Frederick News-Post had not provided any coverage of the AGAR 23 Memorial service, but noted that there are several videos of the event on Youtube.

Commissioner Mary Ann Brodie-Ennis asked about the request to place a dumpster on a town street for the purpose of removing radon from a home. Burgess Weddle explained that permission had already been granted to the resident.

Burgess Weddle reviewed a letter from Maryland State Retirement notifying the Town that contributions are not required after a salary reaches \$275,000. Everyone had a good laugh.

Commissioner Mary Ann Brodie-Ennis reported that there had been a meeting at the Walkersville Branch of the Frederick County Public Library regarding the potential of a solar array at the corner of Biggs Ford Road and Dublin Road. Concerns regarding property values, and rain runoff from the array were expressed. Ms. Hauver noted that the Town would have an opportunity to comment on the approval of the array even though it is not in Town limits.

Commissioner Russell Winch reminded commissioners of the MML Joint meeting to be held in Mt. Airy on Wednesday, May 16th. He also noted that municipalities are meeting on June 7th to agree on allocations of Program Open Space funds, and that Walkersville will not be requesting funds as we are trying to utilize the funding received for the Heritage Farm Park recreational building. Commissioner Winch also reported that by 2024, Highway User Revenues will be restored to 85% of their 2008 levels.

15. CITIZENS' QUESTIONS AND CONCERNS

Burgess Weddle reviewed upcoming dates to remember:

- May 19 – Walkersville Day
- May 22, 7:30 – Planning Commission
- May 23, 7:30 – Town meeting
- May 28 – Memorial Day observed – Office closed
- June 6 – Parks Meeting
- June 9 – Bulk Trash Pick-up
- June 12 – Planning Workshop
- June 13 – Town Meeting
- June 26 – Planning Meeting
- June 27 – Town Meeting
- August 13, 4:30 – Deadline to file Certificate of Candidacy
- September 10 – Town Election

Ken Kellar, Editor of the Woodsboro Times, 310 Copper Oaks Drive, Woodsboro, updated the commissioners on the upcoming photo scavenger hunt on Walkersville Day. FindingWalkersville.com is the website that will go live at 10:00 a.m. on May 19th, and will feature photos of locations throughout the Town. Selfies from the locations will be accepted via email, Twitter, and Instagram and prizes will be awarded in amounts from \$20 - \$50 in the assorted categories.

Burgess Weddle read a Resolution wishing Mrs. Catherine Nicodemus a speedy recovery.

The meeting adjourned at 8:55 p.m. Next meeting will be May 23rd.

Respectfully submitted,

Gloria Long Rollins
Town Manager