

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
September 26, 2018

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, September 26, 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, Accountant Yunellis Morales-Matias, Town Manager Gloria Long Rollins, Jeff Thompson of Whitman, Requardt, and 10 citizens.

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 September 12, 2018. The motion passed by a vote of 5-0.

2. M2 CONSTRUCTION CHANGE ORDER #01 – MATERIAL COST INCREASES

Commissioners reviewed M2 Construction Change Order #01 documents in the amount of a \$ 104,307.04 to be added to the cost of construction of the water plant. Yunellis Morales-Matias, Accountant, noted the options available to the Town to pay this increase due to steel tariffs and delays in the project. MDE has approved the change and needs to know if the Town 1) chooses to increase its loan amount, 2) chooses to pay the increase out of pocket, or 3) chooses to pay the increase out of loan contingency funds.

Commissioner Russell Winch made a motion, seconded by Commissioner Donald Schildt, to pay the \$ 104,307.04 out of current year water fund and not increase the loan amount. The motion passed by a vote of 5-0.

3. WRA CONTRACT AMENDMENT FROM LAST MEETING EXPLAINED

Commissioner Russell Winch reviewed the proposed additional hours to be added to the WRA contract for Construction Phase services for the Water Treatment Plant Project. He noted that it is what might occur, an allowance. Mr. Jeff Thompson, of WRA, reiterated that the original 300 hours was initially specified by the Town for construction phase services during the evaluation and selection of the engineering services contract. After completion of the project design, it was determined that additional construction phase engineering services and tasks would be needed from the engineering team to support the construction inspection and administration being performed by Town personnel.

Commissioner Russell Winch made a motion, seconded by Commissioner Donald Schildt, to approve the additional hours of construction phase (941) at a cost of \$ 155,265 for a total of \$ 204,765 authorized for Construction Phase. The motion passed by a vote of 4-1, with Commissioner Mary Ann Brodie-Ennis in opposition.

4. BELL PROPERTY PHASE 2 – PUBLIC WORKS AGREEMENT AND LETTER OF CREDIT

The developer of the Bell property, Woodsboro Pike LLC, has submitted a public works agreement, cost estimates and a draft letter of credit for roads and utilities to be constructed in the second phase of the development. The wording of the documents is the same as the approved Phase 1 documents. The letter of credit would be issued by United Bank, which was previously approved. The cost estimates have been submitted to our new Town engineer for review. Ms. Hauver is requesting approval of the documents pending the engineer's review and approval of the cost estimate.

Commissioner Russell Winch made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to approve the Bell property Phase 2 Public Works Agreement and Letter of Credit pending the Town engineer's approval of the cost estimates. The motion passed by a vote of 5-0.

5. FREDERICK COUNTY AG PRESERVATION EASEMENT REFERRAL

The Town received notification from Frederick County that an application for a permanent preservation easement has been filed for the Steven Mehring property at 9340 Dublin Road. The property is designated Agricultural/Rural on the Comprehensive Plan and is zoned Agricultural. Because it is within Town limits, it is not designated Agricultural Buffer. The Town Comprehensive Plan notes that, "Land in the Agricultural Buffer could be annexed as agricultural land; the intention is for the properties to remain in agricultural use and to serve as a buffer between the Town and developed and developing areas of Frederick City and County. The Town fully supports the purchase of agricultural preservation easements with the Agricultural Buffer." The Agricultural/Rural designation on properties within Town limits indicates that the properties are planned to remain in the agricultural use for the next 20 years. The plan does not address whether permanent preservation easements on agricultural land within Town limits are appropriate, so they must be evaluated on a case by case basis. Since the adoption of the Town Plan in 2011, permanent easements have been placed on two or three properties with the Town's support. The subject property on Dublin Road, adjoins property designated and zoned for Industrial use (Lonza) as well as other farms. The farm to the north (Cramer) has already been placed within a preservation easement. The frontage of the Lonza property is within the floodplain and their driveway does flood. Issues to consider in reviewing this application include:

- Which agricultural properties within Town should be reserved for potential development (beyond 20 years)? Should this property be considered for development beyond 20 years?
- Should this property be considered as a potential access point to the Lonza property?

The Planning Commission recommends that the Burgess & Commissioners send a favorable letter to the Frederick County Planning Commission as they review and approve the Ag Preservation Easement.

Commissioner Russell Winch made a motion, seconded by Commissioner Mary Ann Brodie-Ennis, to provide a positive recommendation for the Ag Preservation easement on the Mehring property located at 9340 Dublin Road, within Town limits. The motion passed by a vote of 5-0.

6. ACCOUNTS PAYABLE

Commissioner Russell Winch made a motion, seconded by Commissioner Gary Baker, to approve the payment of the attached bills. The motion passed by a vote of 4-1, with Commissioner Donald Schildt in opposition.

7. COMMISSIONERS' CONCERNS

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Debbie Zimmerman, to send an additional \$50 check to each election judge due to the polls being open from 7:00 a.m. until 8:00 p.m. with vote counting going on until 11:30 p.m. The motion passed by a vote of 4-1, with Commissioner Donald Schildt in opposition. (During the discussion, Commissioner Schildt proposed paying the judges \$130)

Commissioner Donald Schildt reported that he had received several calls that the Town agenda was not on the website. He also expressed his concern about the car break-ins in GladeTowne. State Police have posted several videos of the punks breaking into cars, provided by resident security cameras.

Commissioner Schildt asked that the issue of an employee harassment complaint against him be resolved prior to him leaving office. Burgess Weddle explained that consultation with the Town Attorney had resulted in the matter being handled informally if everyone was in agreement.

Commissioner Gary Baker reported that his neighbor has complained about the street sweeping operations, noting that it is impossible to tell that they have been there. Burgess and Commissioners recommended that residents be notified not to park on the street next time street sweeping is scheduled.

Commissioner Mary Ann Brodie-Ennis asked if it was worthwhile having the extended hours of the polls being open election day. Ms. Rollins noted that a count had been taken at the end of each hour of voting but it was difficult to tell if there were more voters because of the extended hours or because there were so many candidates running for office. Burgess Weddle noted that he wanted to work with Board of

Election Supervisors to establish rules and procedures for poll watching, watching votes being counted, and distance allowed from the polls for electioneering.

Commissioner Russell Winch reported that the meeting agenda was clearly on the Town website and accessible for those understanding how to use a computer.

Commissioner Winch wished the newly elected board well and good luck in the coming term, noting that he will be spending more time with his photography and his wife.

Commissioner Debbie Zimmerman reminded citizens of the upcoming Community Show, and that entries are accepted until Thursday morning 11:00 a.m. She noted the dinner Friday night from 4:30-7:00 p.m. along with the cake auction.

Ms. Susan Hauver reported that the Biggs Ford Road, Whitmore Farm, Solar project has applied for a rezoning of the property for the solar facility. The Frederick County Planning Commission will be hearing the case in November or December and the Council hearing will be in January or February.

Mr. Robert DePaola reported that he will be meeting tomorrow on the Longley Green pre-construction and that the walls and floor of the new water plant will be poured soon as the rain allows.

Burgess Weddle read the announcements for meetings in the upcoming weeks:

- Wed., Oct. 3, 7:30 p.m. – Parks Committee
- Tues., Oct. 9, 7:30 p.m. – Planning Workshop
- Wed., Oct. 10, 7:30 p.m. – Town Meeting
- Tues., Oct. 23, 7:30 p.m. – Planning Commission
- Wed., Oct. 24, 7:30 p.m. – Town Meeting
- Tues., Nov. 6, 7:30 p.m. – Board of Appeals if needed
- Wed., Nov. 7, 7:30 p.m. – Parks Committee
- Sat., Nov. 10 – BULK TRASH PICKUP
- Tues., Nov. 13 – 7:30 p.m. – Planning Workshop
- Wed., Nov. 14 – 7:30 p.m. – Town Meeting
- Thurs., Nov. 22 and Fri., Nov. 23 – Thanksgiving Holiday – OFFICE CLOSED
- Tues., Nov. 27 – 7:30 p.m. – Planning Meeting

8. CITIZENS' QUESTIONS AND CONCERNS

Wayne Starkey, Olde Towne Jewelers, reported his concerns regarding the retrofitting of the storm pond next to his property. He spoke with Ross Clingan of State Highway Administration 3 weeks ago trying to confirm responsibilities between the Town and SHA. No response to date. He is concerned there is no fence around the structure and a child could stray into the pond water. He noted they are shuffling dirt from one side of the pond to the other, and back, and intimated that State funds are being used for the project or lost if not spent. He wanted information on the existence of mosquitoes in the pond and a plan for maintenance, mowing, and eliminating the pests. He is very concerned about the safety of the pond. Burgess Weddle noted that the Town would invite them to a meeting to explain the plans for the project.

The next meeting is Wednesday, October 10th at 7:30 p.m. with the installation of the new Burgess and Commissioners and a time of refreshment and reminiscing.

Meeting adjourned at 8:05 p.m.

Respectfully submitted,

Gloria Long Rollins
Town Manager