

MINUTES
WALKERSVILLE BURGESS & COMMISSIONERS TOWN MEETING
October 24, 2018

The Town meeting of the Walkersville Burgess & Commissioners was called to order on Wednesday, October 24, 2018, at 7:30 p.m. Those in attendance included Burgess Chad Weddle, Commissioners Michael Bailey, Mary Ann Brodie-Ennis, Tom Gilbert, Michael McNiesh, and John Zimmerman, Planning and Zoning Administrator Susan Hauver, Public Works Director Bob DePaola, Town Manager Gloria Long Rollins, Erin Clark of Smith, Elliott & Company, Wyatt Massey of the Frederick News-Post, Ken Kellar of the Woodsboro Times, Roger Wilson, Frederick County Director of Government Affairs and Public Policy, and 15 citizens.

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 Michael McNiesh, to approve the Town meeting minutes of October 10, 2018, with changes. Changes should include acknowledgement that a resident trooper was asked to comment on the possibility of Frederick County Health Department Harm Reduction Services to be located in the Town of Walkersville, and his response. The motion passed by a vote of 4-0, with Commissioner John Zimmerman not yet present for the meeting.

2. AUDIT PRESENTATION – ERIN CLARK OF SMITH, ELLIOTT & COMPANY

Ms. Clark reported that the Town of Walkersville maintains an excellent financial position. For the new commissioners, she went in depth on the various statements included in the report, noting as follows:

- The Independent Audit Opinion issued was an unmodified opinion.
- The next 14 pages of the report include the Management Discussion & Analysis prepared by Ms. Rollins.
- Statement of Net Position shows \$23,115,527 of Total Liabilities, Deferred Inflows of Resources and Net Position.
- Net Pension Liability, an amount required to be reported and provided by the Maryland State Retirement Agency, is \$ 655,187.
- Miscellaneous General Revenues on the Statement of Activities includes \$34,241.77, an old account payable that was not due after all.
- Ms. Clark reviewed the Statement of Revenues and Expenditures – Budget and Actual for the General Fund and the Water Fund.
- She reviewed the letters provided by Smith, Elliott & Company along with the adjusting journal entries that were made during the audit and those prepared by the client. She also reviewed suggestions they made regarding cyber-security issues and an upcoming GASB disclosure note required for leasing.

Commissioner John Zimmerman arrived at 7:50 p.m.

3. PROPOSAL FOR DESIGN MANUAL

Ms. Hauver presented a proposal from our Town engineering firm, The Wilson T. Ballard Company, for updating the Streets and Roads Design section of the Town of Walkersville Design manual. The cost of the update is \$ 16,500.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Tom Gilbert, to approve the update to the Design Manual at \$16,500 and issue the notice to proceed to The Wilson T. Ballard Company, the Town engineer. The motion passed by a vote of 5-0.

4. FREDERICK COUNTY REZONING REFERRAL: BIGGS FORD SOLAR CENTER, LLC

Discussion ensued regarding the proposed solar farm at 8300 Biggs Ford Road. The farm is located outside of the Town limits and is under Frederick County jurisdiction. The Town's Planning Commission reviewed the Biggs Ford Solar Center rezoning request referred by Frederick County to the Town for

comment. The Planning Commission voted to recommend that the Burgess and Commissioners send a letter in opposition to the request for rezoning, noting the following:

- The proposed use does not take into account the realignment of Dublin Road shown on the Town Comprehensive Plan;
- The use is not compatible with the Town's designation of Agricultural/Rural on the Town Comprehensive Plan;
- The property is prime farmland; and
- The property is within the Town's growth limits and the use will impact Town residents.

Commissioner John Zimmerman abstained from the discussion as he is the current farmer of the property. The remaining Commissioners discussed the order of the priorities of the above opposition to the solar site. Burgess Weddle encouraged approval of the Planning Commission recommendations, with Ms. Hauver to write the letter expressing their concerns.

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Tom Gilbert, to send a letter to Frederick County with the Planning Commission recommendations against the solar farm site, with a change in the order of the opposition to reflect the Burgess and Commissioners priorities. The motion passed by a vote of 4-0-1, with Commissioner John Zimmerman abstaining.

5. REQUEST FOR REDUCTION IN LETTER OF CREDIT: SPRING VIEW ESTATES

Ms. Hauver notified commissioners that we received a notice from Frederick County approving a reduction in the letter of credit held for the development of the Spring View Estates (Bell Property) in the amount of \$151, 812.78. She recommended the reduction be approved.

Commissioner Tom Gilbert made a motion, seconded by Commissioner John Zimmerman, to approve the reduction in the Letter of Credit for Spring View Estates by \$151,812.78. The motion passed by a vote of 5-0.

6. REQUEST FOR REDUCTION IN LETTER OF CREDIT: PARKSIDE

The Town received a request from the developer of Parkside to reduce the letter of credit held for public improvements. The letter of credit did not include stormwater management and sediment and erosion control, as it should have. Therefore, staff is recommending the reduction be adjusted for this oversight. The requested reduction is \$314,822.86 (Roads \$139,219.26 + Storm drains \$79,547.60 +Water lines \$123,056.00) less \$79,222.89 to be held for stormwater management and sediment and erosion control for a total of \$262,599.97. However, staff recommends continuing to hold the requested Roads reduction of \$139,219.26. Staff is recommending the letter of credit be reduced by \$123,380.71, (Storm drains \$79,547.60 + Water lines \$123,056.00 - \$79,222.89 guaranteeing SWM and SEC).

Commissioner Michael McNiesh made a motion, seconded by Commissioner Michael Bailey, to reduce the Letter of Credit for Parkside based on staff recommendation by \$123,380.71. The motion passed by a vote of 5-0.

7. ACCOUNTS PAYABLE

Commissioner Mary Ann Brodie-Ennis made a motion, seconded by Commissioner Michael McNiesh, to approve the payment of the attached bills. The motion passed by a vote of 5-0.

8. CITIZENS' CONCERNS

Kathy Conway of 5 Liberty Street received a high consumption letter for her water usage for the upcoming November 1 water bill. Her usage of 518,800 gallons results in a \$3,929.10 bill. She requested the Town's recalculation to the Industrial rate, per Town policy to allow a one-time recalculation. Commissioners approved the recalculation of the bill to the Industrial rate, \$3,043.79.

Megan LeRoux, of 519 Pearl Street, candidate for Clerk of the Circuit Court, addressed the Burgess & Commissioners and the audience, explaining her experience and background for her candidacy.

Karen Yoho, 4003 Bill Moxley Road, candidate for Board of Education, addressed the Burgess & Commissioners and the audience, explaining her experience and background for her candidacy.

Ysela Bravo, of Mt. Airy, MD, candidate for Maryland State Delegate District 4, addressed the Burgess & Commissioners and the audience, explaining her experience and background for her candidacy.

Roger Wilson, 1816 River Mist Court, Frederick, MD, Frederick County Director of Government Affairs and Public Policy, and Frederick City Alderman, welcomed the Town's new commissioners and encouraged them to use him as a resource. He announced that early voting starts tomorrow, Thursday, October 25th and reported several locations, noting that people could also register to vote at these locations.

Donald Schildt, 1 Glade Road, gave an update on the Veterans' Day Ceremony plans: He reported several assignments for the new commissioners, asking Burgess Weddle to dedicate the wall, Commissioner Zimmerman to handle 200 chairs and the closing of the streets, and Commissioner Gilbert to honor the Kiwanis and the Krom family. He thanked the office for their attention to the presentation flags and the programs and the public works staff for their work on completing the brick wall memorial. He reminded everyone of the ceremony on Sunday, November 11th at 1:00 p.m. at Memorial Park at Five Points. He hopes there will be adequate newspaper coverage of the event this year.

Burgess Weddle made the following announcements:

- October 27th is designated as a drug disposal day from 10:00 a.m. – 2:00 p.m. at Wegmans and the Maryland State Police barracks.
- Lonza has notified the Town that it will be eliminating 60 positions from the cell therapy division in the next 12 months.
- FEMA flood plain maps are available and they will hold a public hearing on them on November 27th, 2018 at 2:00 p.m.
- Cpl. Gary Conklin will be on maternity leave and his position will be covered for 6 weeks by Cpl. Scott Ciccarella.
- A request from the Walkersville Senior Citizens to only meet on Tuesdays due to low turnout on Thursdays was approved.

9. COMMISSIONERS' CONCERNS

A discussion ensued on the Frederick County Health Department request to establish a harm reduction site in Walkersville, in particular on the subject of needle services. Burgess Weddle reported that users would be issued a card that would allow them to drop off dirty needles without fear of arrest. Commissioner McNiesh is against the exchanging of needles as it facilitates the problem. Commissioner Bailey asked if we could take an ala carte approach, allowing some of the services and not others. It was decided unanimously that no needles would be approved on Town property. Burgess Weddle will seek further information on the process.

Burgess Weddle reported that he will make Commissioners assignments to the different areas of the Town, i.e. Planning and Zoning liaison, Parks liaison, streets and sidewalks, police, and HOAs at the November 14th meeting. He will also recommend appointments to Planning & Zoning, Board of Appeals, Parks from the applicants to fill the vacancies incurred by the election. There will also be a recommendation to hire the assistant to the Code Enforcement officer.

Commissioner Tom Gilbert commended staff for the clean audit opinion. He also reported that some people allow their free papers to lie around and disintegrate and it is ugly and unsightly. He requests that we put a reminder on the website and in the next Talk of the Town.

Commissioner Tom Gilbert asked the status of the Glade Village water lines and paving. Public Works Director Bob DePaola reported that the engineers will have the plans ready for the Town and Frederick County's review in a week and then the weather will determine the status.

Commissioner John Zimmerman reported that Devilbridge Bridge Road blacktop is breaking up in the vicinity of the railroad tracks at Heritage Farm Park and Glade Elementary. He also noted that the mulch pile is a mess and the county needs to get someone out there to monitor the materials that are dropped

off at the site. Roger Wilson suggested that Commissioner Zimmerman call him tomorrow and they will work on a solution.

Commissioner Mary Ann Brodie-Ennis asked for an update on the property condemnation on Biggs Ford Road where the Town needs land to extend the Parkside sidewalk. We will go through the process with the Town Attorney.

Commissioner Brodie-Ennis asked if there was a speeding directive to our Resident Troopers, i.e. are there specifics as when to issue a ticket or a warning. Burgess Weddle will see if this information is available.

Commissioner Brodie-Ennis asked if the Town ever got permission from MDE to discharge into the Fountainrock spring from the new water plant or are we going to continue using Frederick County's sewer system for the plant discharge. The plans have been for the latter.

Commissioner Michael McNiesh asked if the reserve funds showing on the Financial Statements could be utilized to pay for the water treatment plant, to which it was explained that the General Fund and the Water Fund are two separate entities. The Water Fund is a Proprietary Fund that is supposed to be self supporting through service fees, so no, taxpayer funds in the General Fund cannot be used for the Water Fund.

Commissioner McNiesh asked how many applicants applied for the Planning and Zoning Commission position – 4.

Commissioner McNiesh asked that the new building to be built at Heritage Farm Park have an electronic key pad installed that would record who and when people had entered the building. He also asked that a policy/procedure be established for the priority of uses and building users.

Commissioner McNiesh also reported he has been contacted to explore the possibility of a dog park in Walkersville. Parks Committee member Mitchell Brannen reported that the Parks Committee had discussed this and decided it was not an item of interest for them due to the ongoing maintenance required, the allocation of staff resources, and the dog mess involved.

Commissioner Michael Bailey thanked the maintenance staff for promptly fixing the swing at Trout Park. He also asked if there was an official policy on smoking or vaping in the parks. The Parks Committee will investigate and develop this.

Commissioner Bailey asked that we look into the ability to pay water bills online. This will be included when we sign on for developing a new website as the current site does not have that function. He also asked that we develop a policy different than we currently have to address high consumption water bills. In particular, he would like to see people not have to attend the Town meeting to ask for relief in public.

Commissioner Bailey asked that we explore putting the recordings of the Town Meetings online. He also proposes possibly developing a monthly podcast entitled "The Lion's Roar", which would include important and interesting information to share with our citizens.

Commissioner Bailey asked that we put a new website in next year's budget.

Commissioner Bailey noted that we should amend the current Town Code to include addressing blighted properties. He would like to give some teeth to the law that the Code Enforcement Officer is trying to enforce. Burgess Weddle suggested that we review the codes of College Park and University Park as they address properties that are blighted and unkempt in the area.

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

- 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
- Sun., Nov. 11, 1:00 p.m. – Veterans' Day Ceremony
- Mon., Nov. 12 – Veterans' Day Holiday – Office Closed

- 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

The next meeting is Wednesday, November 14th at 7:30 p.m.

Meeting adjourned at 9:35 p.m.

Respectfully submitted,

Gloria Long Rollins
Town Manager