

Mayor and Council of Smithsburg, MD
Regular Meeting Minutes
Tuesday, November 7, 2017

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, November 7, 2017 at 7:00 PM with Mayor Mildred Myers, Council Members Richard Hetherington, Craig McCleaf, Donald Souders, Dennis Wenthe and Cassandra Weaver present. Also in attendance were Town Manager Debra Smith, Assistant Clerk/Treasurer Jenni House, Chief George Knight, Crew Leader Jeff Long and Zoning Administrator Randy Dick. The meeting was opened with the Pledge of Allegiance led by Council Member Wenthe.

Agenda Approval: On a motion by Council Member Souders, Council unanimously approved the agenda.

Consent Approval of Minutes: On a motion by Council Member Souders, to approve the minutes of the October 3, 2017 Mayor and Council meeting, the October 24, 2017 Work Session as submitted. Motion carried by a unanimous vote of Council.

On a motion by Council Member Souders to remove the Executive minutes of September 5, 2017 from the table and add to the agenda for approval and for the minutes to remain closed, 2nd by Council Member Hetherington. All in favor with Council Member Wenthe voting no. Motion carried.

Approval of Treasurers Report: On a motion by Council Member Wenthe to approve the Treasurer's report as presented Motion passed by a unanimous vote.

MAYOR'S REPORT: Mayor Myers reported on the following: (1) Participated in the High School Homecoming Parade. (2) Attended Park Commission meeting to review placement of the new playground equipment. (3) Attended the Washington County Commissioners meeting held at Town Hall. We always appreciate their relationship with the town. It was also great to see the large amount of our citizens attend to voice their concerns. Thanks to all for their input in the requested annexation. (4) Congratulations to the Cavetown Homemakers in the celebration of 100 years. I was honored to speak at this event. Delegate Wivell and Commissioner Kline also attended. (5) Received letters from Delegates Serafini, Wivell and Parrott that our POS request in the amount of \$54,000.00 to extend the Veterans Park walking path was approved by the General Assemble and was submitted to the Board of Public Works for approval. (6) Trick or Treat night and all of the festivities for Halloween were all successful. Thanks to all who participated to make the season a fun and safe time for all. (7) Presented the award from LGIT for 20 years in membership Trust.

TOWN MANAGER'S REPORT: Debra Smith, Town Manager, reported the following: (1) Met with Smithsburg High School Principal Mike Chilcutt regarding the usage of the school Emergency Access Road, which was discussed at the October work session. (2) Attended the Park Commission meeting and reviewed the proposed location of the new play equipment. (3) Participated in the Town Election Board review meeting. (4) Along with Randy Dick and Town Engineer Mike Hicks attended a meeting with a group proposing to build out the remainder of the Mountain Shadows development at the end of E. Water Street. (4) Randy and I met with W.C. Environmental Management to discuss the availability of Smithsburg's sewer allocations. Information is pending due to recent staffing changes that occurred at the County but will be received and discussed further at the November work session. (5) **FY17 POS for \$27,000 for Electric and water in Veterans Park:** the waterline extension and electrical to the 2.5 acre parcel has been completed. The 9 lighting fixtures were installed and the project is now complete. (6) **FY18 CP&P \$10,000 Grant:** with pending approval this evening, the play equipment (consisting of a rock climbing wall for age group of 5-12 and a generation swing) will be purchased and installed by spring. (8) **FY18 POS Grant for \$54,000** was approved November 1st by the Board of Public Works to add an additional 940 LF of walking trail in Veterans Park.

DEPARTMENTAL REPORTS

Police Chief Report: Chief Knight submitted the following report: (1) there were 64 calls for service during the month of October with no arrest. (2) A total of 21 premise checks were conducted. (3) The Department patrolled a total of 1,922 miles this month and did 26 hours and 10 minutes of foot patrol. (4) The Department assisted Washington County Sheriff's Dept. 11 times, Maryland State Police 3 times, SEMS 4 times and Hagerstown Police Department 0 times. There were 93 Park checks. (5) Chief Knight, Corporal Witmer and Officer Morales all completed Firearms Qualifications.

Public Works Report: Jeff Long submitted the following report: (1) Completed the waterline and electric conduit extensions in Veterans Park. (2) Completed the traffic line painting and signage on N. Main St. at S.V.F.C. (3) Thank you to Bonnie Renard for volunteering her time to re-paint the spring toy animals in Lions Park. (4) Set up and clean up for Trunk or Treat in Veterans Park. (5) Completed setting up the storage trailer for water and sewer emergencies. (6) Winterized the reservoir and all water and wastewater pumping stations. (7) Cleaned and repaired the second floor of Town Hall for the County Commissioners meeting. (8) Turned off all water auto flushers for the winter. (9) Nine new decorative lights have been installed in Veterans Park. (10) Collected M.O.R.S and submitted copies to M.D.E. (11) Attended a meeting with the Town Manager and ARRO Engineering on the transmission line upgrades. (12) Assisted with the Homecoming Parade as needed. (13) Water usage for the month was 7,130,920 gallons. (14) Sewer usage for the month is still pending.

Zoning Administrators Report: Randy Dick, Zoning Administrator submitted the following: (1) Assisted Public Works with Emergency Access to Smithsburg High School, lighting at Veterans Park, MS4 permitting, weight limit for E. Fire Company Lane and railing, sidewalk near flag pole at Town Hall and Geiser Way water and sewer connection information for new dwelling. (2) Met with developer, perspective home builder, Town Manager and Town Engineer at Mountain Shadows. (3) Met with Washington County Environmental to review existing and future allocations for sewer.

On a Motion by Council Member Hetherington to approve all departmental reports. Motion carried by a unanimous vote of Council.

COMMISSION REPORTS

Smithsburg Community Activities Commission-Council Member Hetherington stated the committee may be disbanding- currently preparing for the Children's Christmas Party on December 2nd.

Parks and Improvement Commission- Minutes provided from the October 9th meeting. Members met with Town Manager Smith to approve the proposed paly equipment location.

Planning Commission – Minutes submitted. Next meeting scheduled for November 28, 2017 with the Mayor and Council.

Library Advisory Board – Council Member McCleaf stated the next meeting would be November 15, 2017 - No minutes.

On a motion by Council Member McCleaf, Council unanimously voted to accept all reports.

COMMUNITY ORGANIZATION REPORTS

Smithsburg Fire Co- Dale Fishack submitted a report prior to the meeting, as he was unable to attend. The following was in the report: (1) 41 calls for the month of October. (2) Participated in all of the Halloween events around town, including the Town sponsored Trunk or Treat at Veterans Park. Helped to host a trunk of treat event on the carnival grounds and gave away 1,000 free hot dogs to those attending. Provided safety patrols for trick or treat events in the Greensburg area and the Smithsburg area. (3) Provided fire prevention talks and displays to various schools and day cares in the first due area. Instructed approximately 180 high school students in the Ag program on fire safety and fire extinguisher use. The fire extinguisher class included a live fire training exercise where they extinguished an actual fire. (4) Participated in the homecoming parade and escorted the high school cheerleaders on the fire apparatus through the parade. **Special Note:** Would like to express my thank you to the Mayor and Council for allowing me to present some updates and concerns for the upcoming year on behalf of the fire company at your October Work Session.

SEMS Report -The following was reported by Ward Fleger (1) 128 Calls for October 2017. Of these there were: 23 Sick Person/Diabetic Emergency/Abdominal Pain, 24 Ground level falls and traumatic injuries, 14 Chest Pain/Cardiac events, 14 Motor Vehicle Crashes, 15 Respiratory Distress, 6 Unconscious/Fainting/Syncope, 6 Overdose/Psychiatric, 5 Strokes, 5 Event Standby/Homecoming, 10 Seizure/Convulsions, 3 Cardiac Arrest, 1 save with discharge, 3 Life Line Alarms (2) Of the 128 calls, there were 109 calls in Smithsburg, Leitersburg, Mount Aetna, Hagerstown and Cascade/Pen Mar, 11 calls in Franklin County and 8 calls in Frederick County. (3) Participated in a CPR Class on October 7th (4)

Participated in the Town Halloween Party, October, 3, 2017, cooked over 400 hot dogs, also participated in the Trunk or Treat Event on October 27th. (5) Delivered Olive Garden to Meritus ER for 3 Shifts October 12th for National Nurses Week. (6) Hosted an Open Town Meeting on October 20th for the Cloverly Annexation. (7) Instructed a Cub Scout Class on October 24th. (8) Mummers Parade on October 28th. (9) Provided Medical Coverage for the home football games, Homecoming events (parade and game), yes we were able to take Abe to the October 6th game. (10) Halloween Night participation with PD and FD October 31st.

CITIZENS COMMENTS/CONCERNS

- John Coley – 22 Amanda Drive; prefer to see all residential land, no commercial in County proposal.
- Colleen Corballis – 13069 Wild Geese Lane; read statement of opposition to proposed annexation.
- Rachel Corballis- 23141 Raven Rock Rd; read statement of opposition to proposed annexation.
- Evan Price – 12539 Bradbury Ave.; spoke against growth and proposed annexation in town. Interested in information on petition for referendum if annexation is passed.
- Joe Lane – 12030 Hippan Hill Rd.; noted several concerns against proposed annexation.
- Bonnie Renard – 39 S. C&P Lane; would like the concept of additional customers and shared tax base.
- Liam Corballis – 13741 Kretsinger Rd.; spoke against commercial growth, likes the small hometown feel.
- Ward Fleger – 109 Colton Ct.; supports the annexation, thinks it would be good for the town.

CONSENT AGENDA: (items reviewed in detail at the previous work session)

(1) FY17 Audit Adjustment: \$65,000.00 transfer; from Annexations-\$4,000; from Police Operating-\$10,000; from Waste Collection Services-\$5,000; from Parks Capital Outlay-\$26,000; from Parks Operating-\$12,000; from SCAC-\$3,000; from Retirement Plan-\$5,000. Transfer to Public Works Capital Outlay-\$53,000, to Debt Service Principal-\$7,000; to Debt Service Interest-\$5,000. (2) FY17 Audit Approval: The Town's general fund reported a fund balance of \$1,789,838, which is an increase of \$38,965 in comparison to the prior year. The towns Water Fund reported an operating loss of (\$24,614) while the Sewage Disposal Fund reported a gain of \$184,506 for a combined year ending balance of \$1,982,954. (3) Proposed location of New Playground Equipment in Veterans Park: Park Commission recommendation to place the new rock climbing wall between Pavilion #1 and the current 5-12 age group play area; and relocate the parent swing to the opposite side of the play area.

Consent Agenda Approval: **On a motion** by Council Member Hetherington, Council unanimously approved the agenda items as proposed.

OLD BUSINESS:

Water Transmission Line Replacement Project Update- Town Manager Smith met with ARRO Engineer, Jeff Long and Brian Semler to review draft water transmission line drawings. Components for the water tanks have been established with draft project drawings to be reviewed with Council at the November work session.

- The project design funding requires Bond Counsel to secure the \$1,170,000 project loan, and Town Manager Smith requested approval from Council to proceed with this portion of the project. **On a motion** by Council Member Souders, Council unanimously approved to proceed with obtaining Bond Counsel to secure the project loan funding.

Discussion of the Proposed Annexation Developers Agreement for Cloverly Hill, LLC- Town Manager Smith stated that she was contacted by Mr. Cross requesting that his previously submitted 2014 Annexation Agreement be re-submitted to the Council at tonight's meeting since the Mayor and Council are requesting one be developed for the proposed annexation of Cloverly Hill. After a quick review of some of the provisions within the 2014 document in an executive meeting prior to this meeting, it was determined that it no longer met the current criteria and consensus was to request that Mr. Cross have his attorney (Jason Divelbiss) draft a new agreement and present it to Town Attorney Jennifer Keefer to prepare a final draft that will be presented to the Town Manager for review prior to submitting to the Council at the November work session.

NEW BUSINESS

No New Business

November 28, 2017 MAYOR AND COUNCIL WORK SESSION

Councilmember Souders stated before making Council Member remarks he would like to request that the Code of Conduct for Elected Officials be added to the November 28, 2017 Mayor and Council Work Session.

COUNCIL MEMBER REMARKS:

Council Member Souders-Thanked everyone for coming out to the meeting. Thanked staff and all that serve on the committees for all they do. Encouraged residents to sign up for alerts on the Towns Website.

Council Member Weaver-Would like to recognize the members of the SCAC for putting on the Trunk or Treat in the park. Thanked everyone for expressing their opinions and concerns regarding the annexation.

Council Member Wenthe-Reminded everyone of the Veteran's Day ceremony on Saturday, November 11th at 3:00PM and stated he would like the whole community to be there.

Council Member McCleaf-Thanked everyone for coming out to the meeting. Prayers go out to the congregation at the Texas Church.

Councilmember Hetherington- Thanked the Police Department, the Fire Department and SEMS for helping out with trick or treating, keeping the kids safe. Would like to recognize the Smithsburg girls volleyball team, they won the first round of play offs and if they succeed this will be their 4th championship.

The meeting was adjourned at 8:04 PM

Respectfully submitted,

Jenni House
Assistant Clerk/Treasurer