

Tuesday, February 7, 2012

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, February 7, 2012, with Mayor Myers and Councilmembers Aurand, Jernigan, Lushbaugh and Souders present. Councilmember Martin was absent.

The meeting was opened with the Pledge of Allegiance led by Councilmember Jernigan.

On a motion by Councilmember Souders, Council unanimously voted to approve the agenda as presented.

Councilmember Aurand made a motion to approve the minutes of the January 3, 2012 meeting of the Mayor and Council as presented. Motion passed by a unanimous vote. Council unanimously approved the minutes of the January 24, 2012 work session on a motion by Councilmember Lushbaugh.

The Treasurer's report was approved unanimously by the Council on a motion by Councilmember Souders.

MAYOR'S REPORT

Mayor Myers reported on the following: (1) Presented to the Washington County Parks and Recreation Board the POS request for year 2013. The request was for funds to establish a plan to best utilize the newly purchased 2.5 acres of park land adjacent to Veterans Park. (2) Along with the Clerk/Treasurer, met with and reviewed the Town's employee insurance information. This information was presented to Council for a decision on the best coverage and cost. (3) Sent in the request to MDE for a green grant for replacement of the water main from the storage tanks to South Main Street. This replacement of the transmission line is the last necessary upgrading of our water system. (4) Met with representative from First Energy/Potomac Edison to resolve issues concerning two pole locations. One was the proximity of pole next to fire hydrant on East Water Street. A new pole has been installed. They are waiting on Verizon to remove lines from old pole before removing it. The other pole is on Maple Ave. This pole has been replaced. (5) Attended the Washington County Maryland Municipal League meeting held at Boonsboro. As always this meeting is well attended by local and state officials and a great opportunity to share information. (6) Attended the Washington County Council of Governments. Items on the agenda included County-wide recycling update and discussion on Senate Bill 240 (Bay Restoration Fund) as to the proposed changes. All citizens of Washington County should follow these two issues very closely as to how it will affect your costs.

REPORTS -- DEPARTMENT HEADS

Betsy Martin, Clerk/Treasurer/ Manager reported the following: (1) Processed water and sewer bill payments. (2) Had meetings and conference calls with insurance companies regarding Health Insurance, Short term disability and health insurance and worker's compensation insurance. (3) Attended presentation of POS request to the Washington County Recreation Board. (4) Along with Mayor Myers, met with Dave Kline of Allegheny Power regarding moving pole on E. Water Street next to a fire hydrant. We also discussed the complaints that have been received about the pole that is leaning on Maple Ave. (5) Attended meeting of Election Board to go over Campaign Financing. Reminded everyone that nominations for the position of Council person will be accepted until April 2nd at 4 PM. Election date is May 8th. (6) Met with Kevin Jeter to assist with the preparation of the Parks budget. (7) Attended Pride Days meeting. Scouting will be the theme of this year's Pride Days. Help is still needed. The next meeting will be held on February 16th at 7 PM in Council Chambers. Patron forms will be on the town's website. The committee is working to have some activities on Friday night. Next year is the town's 200th birthday. The Historical Society will be working with the Pride Days Committee to combine these events. (8) Revised the mowing contract bid documents. (9) Attended the County Council of Governments meeting. We were informed of the possible increase by the state of the "Flush Tax". Greg Murray, County Administrator,

spoke on the recycling service to be offered to areas of the County that do not currently have curb side recycling. (10) Nancy Walzl is working on the scheduling of the sports fields for the spring ball season. (11) Reminded Council about the meeting with the Town Attorney to discuss municipal infractions on February 21st.

Chief George Knight of the Smithsburg Police Department presented the following report: (1) There were 126 calls for service during the month of January with 4 adult and 1 juvenile arrests. (2) The department patrolled a total of 3,284 miles this month and did 14 hours and 25 minutes of foot patrol. (3) A total of 4,035 patrol checks and 10 premise checks were conducted during the month. (4) Chief Knight, Corporal Witmer, Officer Munson and Officer Hudson attended CPR training at the Washington County Sheriff's Office. (5) Chief Knight attended Terrorism Law Enforcement Response training at the Capital Park Police Department in Anacostia.

The following written report was presented from Jeff Long, Public Works Director: (1) Waste water infrastructure inspection, repairs and mapping upgrades are ongoing. (2) Removed and stored all holiday decorations. (3) Replaced the waste water pump for the Veterans Park and the library. (4) Serviced the diesel generator at the Smithsburg Pumping Station. (5) Dealt with a snow and ice event on January 21st. (6) Performed maintenance on all snow removal equipment. Upcoming projects include: (1) Continue sewer infrastructure work. (2) Raise the fire hydrant at Gabriel Court. Average daily water consumption for the month of January was 222,064 gallons.

REPORTS -- COMMISSIONS, COMMITTEES

Appeals Board – No cases.

SCAC – SCAC next meeting will be held on March 5th at 7 PM at which time they will make plans for National Night Out and the Easter Egg Hunt.

Parks and Improvement Commission – Kevin Jeter, Chairman, reported the following: (1) Made Program Open Space presentation to the Washington County Recreation Board. Several members of Council discussed the need to have more input in future POS grant requests. (2) Have obtained speaker for the Memorial Day ceremony. (3) Joey Borg has been appointed Secretary of the Commission and Dave Muldoon is Vice-Chairman.

Planning Commission – Randy Dick reported that the Planning Commission will be meeting on February 16, 2012. On the agenda will be the site plan review for Hadley Farms, budget and ordinance review.

On a motion by Councilmember Souders, Council unanimously voted to accept all reports.

COMMUNITY ORGANIZATION REPORTS

No reports.

CITIZENS COMMENTS ON AGENDA ITEMS OR MISCELLANEOUS REMARKS/CONCERNS

No Comments

OLD BUSINESS

Randy Dick reported that plans are under review for the WIP Program. Julie Pipple will be meeting with small towns to go over what they can do to meet the requirements.

On a motion by Councilmember Souders, Council unanimously approve the motion "That the Town Code is hereby amended by repealing the existing Title 6 to Chapter 2 of the Code, and replacing it with a new Public Ethics Ordinance", Ordinance will be effective in twenty days.

Jill Baker, Town Planner, reported that the Public Hearing was held on January 3rd to take public comments on the updated Comprehensive Plan. Mr. Daniel Cross was the only person to speak at the hearing and he spoke in favor of the Plan. Ms. Baker reported that the Smithsburg Planning Commission recommends adoption of the Comprehensive Plan. Councilmember Souders made a motion to pass the Resolution adopting the Town of Smithsburg Maryland 2011 Comprehensive Plan in accordance with Article 66B of the Maryland Annotated Code. Motion passed by a unanimous vote of Council. Resolution to become effective immediately. The Mayor will send a letter to Peter Conrad, Director of Maryland Department of Planning, advising him that the town adopted the updated plan which includes the Municipal Growth Element and Water Resource Element. It also states that the Town of Smithsburg has resumed its zoning change and annexation authority as of February 7, 2012. The Town acknowledges that the Comprehensive Plan will need to again be updated in six years, or February of 2018.

NEW BUSINESS

Kevin Jeter presented to Council the revised By-laws for the Parks Commission. In Article 2 eliminate the wording – It is recommended that as many members as possible are local business owners. Discussion was held about Article 4. The first bullet should read: Encourage the continued development and maintenance of the parks, Memorial Gardens, other recreational areas and to encourage tourism by emphasizing the Town's historical background and its recent modern improvements utilizing grants. The second bullet should be: (a) Overseeing the spring planting of the planters in conjunction with the Memorial Gardens planting. (b) Maintain and coordinate Memorial Day and Veterans Day ceremonies in Memorial Gardens. Councilmember Souders stated that he thought that the committee name should continue to be Parks and Improvement Commission.

Mayor Myers read letters of resignation from the Election Board from Nancy Kline and Marlene McCleaf. On a motion by Councilmember Souders, Council unanimously supported the Mayor's recommendation to appoint Carrie Dayhoff, previously an Alternate member, as a full member of the Election Board. Councilmember Souders made a motion to approve the Mayor's appointment of Carlo Bellela as a member of the Election Board. Motion passed by a unanimous vote.

Council reviewed copies of the 2012 Mowing Season Bid documents. Changes to be made are: (1) Bid Page 2 – Bid No. 1 should include Perimeter and Bank mowing of Whispering Hills Stormwater Pond. (2) Bid Page 6 – Delete "No specific days for mowing except for NO Sundays". Add "any day except Sundays". On a motion by Councilmember Jernigan, Council unanimously approved putting the town mowing out for bid.

Councilmember Jernigan made a motion to allow Wright Gardner Insurance, Inc. to oversee the Town's Workman's Compensation Policy. Councilmember Aurand, Jernigan and Lushbaugh voted in favor of the motion. Councilmember Souders abstained from voting. Motion carried by a majority vote.

On a motion by Councilmember Jernigan, Council unanimously voted to accept the proposal from MetLife Insurance for the town's short term disability and life insurance.

Betsy Martin reported that she had contacted Allied Waste about Spring Clean Up Day. A tentative date of April 28th was given. Due to some scheduling conflicts, it was decided to contact Allied Waste to see if the date could be changed to May 5th.

On the agenda for the February 28th work session will be: (1) I & I Update (2) Bicycle Race Funding Request (3) SEMS Funding Budget Request (4) Speed Camera – School Zone (5) Tree Ordinance – Draft Ordinance (6) Trash/Yard Waste/Recycling Contract.

COUNCILMEMBER REMARKS

Councilmember Jernigan emphasized for the people to use the town's website. He urged the people to please attend these meetings with their concerns. He stated that he was very pleased that the Public Works Department found 33 manholes that were never addressed since their installation. He is sorry that we once again have spent \$14,108.10 of tax payers' money on I and I. He said the Council would continue to proactively search for way to save the tax payers' money. They are determined to overcome any obstacles.

Councilmember Souders thanked Nancy Kline and Marlene McCleaf for their service on the Election Board for all those years. He also thanked Carrie Dayhoff and Carlo Belella for stepping up and becoming members of the Election Board. He noted that the Election was coming up and that he encouraged residents that are considering or would like to consider running for office to attend meetings. Councilmember Souders also announced that the Smithsburg Market is now offering free delivery from their store.

Councilmember Aurand reported that she delivered the "If I Were Mayor" essay forms to the Elementary school and the MML Scholarship forms to the High School. She thanked Carlo Belella and Carrie Dayhoff for serving on the Election Board. Councilmember Aurand also thanked Nancy Kline and Marlene McCleaf for their service to the Town.

Councilmember Lushbaugh thanked both the outgoing and incoming members of the Election Board. He also encouraged residents to visit the town's website and sign up for alerts. He also stated that with the Election coming up, residents need to get involved in Town Government and that it would be helpful for anyone running for office to attend the meetings. Councilmember Lushbaugh also wished Jerome Martin a speedy recovery.

The meeting was adjourned at 9:11 PM.

Respectfully submitted,

Betsy Martin,
Clerk/Treasurer/Manager