

Tuesday, June 5, 2012

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, June 5, 2012, with Mayor Myers and Councilmembers Aurand, Jernigan, Lushbaugh and Souders present.

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

Justin Byram and Ben Rowe, members of the 2012 Graduating Class of Smithsburg High School, were present at tonight's meeting. They came to thank Chief Knight for allowing the class to camp out at Veterans Park last week. They apologized for any problems that were caused by the students. Nancy Walzl, Assistant Clerk/Treasurer, informed the students, that in the future, any group that uses the park for any overnight event needs to contact the Town Office to reserve the park and supply the necessary insurance information.

On a motion by Councilmember Aurand, Council unanimously approved the agenda as presented.

Councilmember Aurand made a motion to approve the minutes of the May 1, 2012 meeting of the Mayor and Council as presented. Motion passed by a unanimous vote.

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

MAYOR'S REPORT

Mayor Myers reported on the following: (1) Met with the entire town staff and Blakely Jackson to review the Injured Worker's Insurance guidelines. (2) Attended Career Day at Emma K. Doub School. (3) Mayor Myers thanked the following who helped with the Annual Spring Clean Up Day: Staff members Jeff Long, Dennis Romance, Jason Elliott, Betsy Martin, Nancy Walzl and Randy Dick, Park Commission Chairperson Kevin Jeter, Councilmembers Aurand and Souders, Councilmember elect James Fritsch, Phil Ruth of Bikes for the World and Larry Moten and Javier Santiago from Goodwill. (4) She extended congratulations to Officer Matt Hudson for receiving the Certificate of Merit Award at the 2012 Public Safety Awards Ceremony. (5) Congratulations were also given to Pride Days Coordinator, Tonya Meadows, for a successful event. Many thanks also go out to the many persons involved to help make this celebration successful. (6) Attended Washington County Chapter of the Maryland Municipal League. The program at this meeting was to inform all municipalities about the Watershed Implementation Plan and how it will affect all of us. (7) Participated in the Memorial Day Ceremony. (8) Congratulation was also given to the three council-elect persons – James Fritsch, Donald Souders and Heath Abbott. She expressed her appreciation to John Karroll and Victor James for their interest in the Town and encouraged them to participate in other volunteer positions.

REPORTS -- DEPARTMENT HEADS

Betsy Martin, Clerk/Treasurer/ Manager reported the following: (1) Attended Staff meeting with Blakely Jackson of Wright Gardner to discuss the Return to Work Program with all town employees. (2) Sent in one delinquent account for Tax Sale Proceedings. (3) Participated in Spring Clean Up Day. Cost for dumpster rentals and tipping fee was \$2,131. Received check from Conservit in the amount of \$662.40 for metal recycling. (4) Congratulated the winners of the Town Election. They are: James Fritsch, Heath Abbott and Donnie Souders. (5) Assisted with Pride Days. A big thanks goes out to Tonya Meadows, Nancy Walzl and all others who help make Pride Days a huge success. (6) Worked with the auditors on preliminary work for this year's audit. (7) Reminded everyone that the County Commissioners will hold their evening meeting at Town Hall on June 12th at 7 PM. (8) Gave Council, for their review and comments, a copy of the Final Plat and Subdivision, Lot 1 for Mildred Myers and Sharon Shank.

Chief George Knight presented the following report: (1) There were 156 calls for service during the month of May with no arrests. (2) The department patrolled a total of 3,510 miles this month and did 40 hours and 5 minutes of foot patrol. (3) A total of 19 premise checks were conducted during the month. (4) Chief Knight attended a G-8 summit meeting at the Frederick County Law Enforcement Center. (5) Chief Knight met with the Board of Education Security Chief regarding the School Emergency Plan. (6) Corporal Witmer assisted with Kids Alive Festival at Children's Village. (7) Officer First Class Matt Hudson received a Certificate/Award of Merit at the Public Safety Awards Ceremony at Hagerstown Community College. (8) Assisted with Pride Days parade and activities on May 19th and 20th. (9) Worked a total of 15 hours for the Juvenile Alcohol Grant and 11 hours for the State Highway Speed Grant.

The following is the written report submitted by Jeff Long, Public Works Director, who was unable to attend tonight's meeting due to a water line break. (1) Ongoing waste water infrastructure repairs. (2) Attended Maryland Rural Water Associations' annual awards dinner on May 8th. (3) Participated in the town's annual spring cleanup. (4) Delivered 18 water/sewer disconnect notices. (5) Prepared for Pride Days. (6) Cleaned the wet wells at all of the Town's waste water pumping stations. (7) Completed painting of parking spaces, stop bars and cross walks. (8) Prepared Memorial Gardens for Memorial Day Ceremony. (9) Cut and removed several broken and downed limbs from storms throughout the month. Upcoming events and projects are: Continue sewer infrastructure work, 2nd quarter water meter readings and finish painting curbs. Average daily water consumption for the month was 235,255 gallons.

Due to the absence of the Public Works Director at tonight's meeting, several issues that Council wished to discuss with him were tabled until a Special Meeting to be held at 5 PM on Monday, June 18th in Council Chambers.

REPORTS -- COMMISSIONS, COMMITTEES

Appeals Board – Randy Dick reported that the Appeals Board met on May 17th to hear an appeal filed by Selena Turner Kint for a Special Exception to have a Home Occupation at 14 E. Water Street. Property is owned by Roberto Gonzalez. Appeals Board granted the Special Exception with conditions.

Smithsburg Community Activities Commission – Commission met in May and discussed their schedule of activities. The next meeting will be held on June 6th at which time discussion will be held on the National Night Out Activities.

Parks and Improvement Commission – The next meeting will be held on June 11th at 7 PM at Veterans Park.

Planning Commission – Randy Dick reported that the Planning Commission will be meeting on June 14, 2012. On the agenda will be review of the Myers/Shank final plat and subdivision for Lot 1.

On a motion by Councilmember Jernigan, Council unanimously voted to accept all reports as presented.

COMMUNITY ORGANIZATION REPORTS

Garrett Snyder, Assistant Chief of SEMS, read of Letter of Commendation for Officer Munson. Officer Munson assisted with a patient in cardiac arrest. Assistant Chief Snyder reported that SEMS will be donating an Automatic Electronic Defibrillator to the Police Department.

Assistant Chief Patrick Baker of the Smithsburg Fire Department reported that they had 53 calls for service during the month of May. They participated in Pride Days weekend with the breakfast, parade and fireworks. He reported that an Incident Action Plan was developed for the Fire Department for use during the G8 Summit. The Fire Company will be holding their carnival the week of June 25th with fireworks being on Friday, June 29th. Assistant Chief Baker thanked Councilmember Aurand for her support to the Fire Company during her years on the Council.

Mayor Myers thanked SEMS and the Fire Company for their service to the community.

CITIZENS COMMENTS ON AGENDA ITEMS OR MISCELLANEOUS REMARKS/CONCERNS

No comments.

OLD BUSINESS

Randy Dick reported that Julie Pippel will be present at the June 19th work session to go over option for the Watershed Improvement Plan.

Betsy Martin gave to Council the revisions to the FY2013 budget as requested by Chief Knight. Councilmember Lushbaugh questioned why Grove Lane was still in the budget. Councilmember Souders made a motion to approve the 2012/2013 budget as presented at the May 1st meeting. Councilmember Aurand voted in favor of the motion. Councilmembers Jernigan, Lushbaugh and Souders voted in opposition. Motion died.

Councilmember Souders made a motion to approve the 2012/2013 Budget with the modification to strike out Grove Lane Phase 2 from the budget line item of Streets Capital Outlay. Councilmembers Souders and Lushbaugh voted in favor of this motion. Councilmembers Aurand and Jernigan voted in opposition. Mayor Myers voted in opposition of the motion. Betsy Martin noted that without an approved budget, town government would shut down on July 1st.

More discussion was then held on the budget. Councilmember Aurand then made a motion to approve the 2012/2013 budget as presented to the public on May 1st with the stipulation as made by Councilmember Souders (Councilmember Aurand approved Councilmember Souder's stipulation) that no dollars be spent on Grove Lane (under Streets C/O) until Council takes action on this issue. Councilmembers Aurand, Souders and Lushbaugh voted in favor of this motion. Councilmember Jernigan voted in opposition. Motion carried by a majority vote.

Councilmember Souders made a motion to approve the Ordinance Repealing and Reenacting the Town of Smithsburg's Provisions Regarding Tree Maintenance and Removal. This ordinance amends the Town Code by repealing the existing Section 15-3103 entitled "Removal of Hazardous Trees and enacts a new Section 15-3103 titled Street trees. Councilmembers Aurand, Lushbaugh and Souders voted in favor of the motion. Councilmember Jernigan voted in opposition. Motion carried by a majority vote.

NEW BUSINESS

On a motion by Councilmember Souders, Council unanimously voted to approve the reappointment of Greg White and Bob Davis to a three year term on the Planning Commission.

On a motion by Councilmember Souders, Council unanimously voted to approve the reappointment of Kevin Jeter and Brad Nee to a three year term on the Zoning Appeals Board.

The Council unanimously voted to approve the motion by Councilmember Souders to reappoint Charles Pack to a three year term on the Administrative Calls Appeals Board.

On the agenda for the June 19th work session will be: (1) WIP – Julie Pippel; (2) Council review of proposed Charter amendments which include Council absenteeism, Vice President’s role and Department Head removal; (3) Code of Conduct Policy and (4) Review Code Ordinance revisions.

COUNCILMEMBER REMARKS

Councilmember Lushbaugh congratulated the three Councilmembers who won the election in May. He thanked everyone who helped with Pride Days. Councilmember Lushbaugh also thanked the Town Staff and other who contributed to making the Spring Clean Up Day a success. He expressed his thanks to Shirley Aurand and Jerome Martin for their service to the town.

Councilmember Aurand participated in Spring Clean Up Day and the Pride Days parade. She thanked Dennis Romance for driving the town truck in all the parades in the past. Councilmember Aurand also attended the MML meeting.

Councilmember Souders thanked Councilmember Aurand for her service and time to support the community. He thanked the seniors, Justin Byram and Ben Rowe for their compliment to the Police Department. Councilmember Souders also thanked everyone for their support and help with Pride Days and Spring Clean Up Day. He encouraged all residents to support the Fire Dept. and SEMS fund drives. He also encouraged residents to continue recycling. Councilmember Souders welcomed and congratulated Jim Fritsch and Heath Abbott to the Council.

Councilmember Jernigan also welcomed Jim Fritsch and Heath Abbott. He also thanked the two high school seniors who were present at tonight’s meeting. Councilmember Jernigan made the following comments into record: “Since I was absent last month, I’d like to take this time to offer my condolences to the Akers family. I’m sorry that I wasn’t here to say that last month. I want to thank Chief Knight and all the other officers and emergency personnel for coordinating traffic control for Mitchell’s funeral procession and routing it past the school so that the students and faculty could come out and pay their respects. I would like the citizens to know that I am not voting for the budget because it keeps growing year by year in spite of the fact that the Council is working hard to save the tax payer’s money. There is so much waste that can be corrected that there is no need to raise water and sewer rates or any type of taxes. I am committed to continuing to fight for the efficient use of the tax payer’s money. It was an honor to have been a part of the Memorial Day Service at Veterans Parks. I appreciate being asked to lay the wreath again this year. The service was a touching tribute to our military and I would like to thank all in our country who serve or have served in order to protect our freedom.”

The meeting was adjourned at 9:23 PM.

Respectfully submitted,

Betsy Martin,
Clerk/Treasurer/Manager