

Tuesday, November 1, 2011

The regular meeting of the Smithsburg Mayor and Council was held on Tuesday, November 1, 2011, 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 Lushbaugh.

On a motion by Councilmember Souders, Council unanimously voted to approve the agenda as written with the following addition: Under November 29<sup>th</sup> work session, the topic of IWIF Death Dependency Laws was added.

Councilmember Lushbaugh made a motion to approve the minutes of the October 4th meeting of the Mayor and Council. The minutes of the October 11th special work session were approved by a majority vote on a motion by Councilmember Souders. Due to her absence at this meeting, Councilmember Aurand abstained from voting. Councilmember Souders asked for the following to be added to the October 25<sup>th</sup> work session minutes: Second Paragraph – Add that the project will be brought back to Council for their final approval after Austin Lane receives approval from the Scout Council. On a motion by Councilmember Souders, the motion to approve the October 25<sup>th</sup> work session minutes as corrected was approved by a majority vote. Due to his absence at the work session, Councilmember Lushbaugh abstained from voting.

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) Attended the AD HOC Charter Committee meeting. (2) Welcomed the organizers of the Blue Knight's Chris Nicholson Memorial Ride and Chris's family. The turnout for this annual event was great. (3) The annual audit report for the Town was presented. McGladrey and Pullen, LLP are our Certified Public Accountants. The report was excellent showing the town to be in great financial shape. No problems were identified. Many thanks go to Betsy Martin for her assistance in working with the auditors. (4) Participated in the Homecoming Parade. (5) Received a thank you from Chris Nicholson's Mother, Karen Highbarger, for the Town's kind thoughtfulness in keeping her son's memory alive. (6) Appreciation goes out for the hard work of our Public Works Department on the great job they did during the surprise October snow storm. They kept our water supply sufficient while coping with power outages, took care of the many potential dangerous fallen tree limbs situations as well as their regular snow removal responsibilities. (7) Mayor Myers expressed her appreciation to our Fire Department, our Police Department and SEMS for all the assistance given during and after the storm plus helping to keep all those out for Trick or Treat safe.

#### **REPORTS -- DEPARTMENT HEADS**

Betsy Martin, Clerk/Treasurer/ Manager reported the following: (1) Processed water and sewer bills. (2) Met with John Malfa, Auditor for Injured Worker's Fund. (3) Continued work on town website. (4) Continued working with the Energy Grant. Both companies have been notified to proceed with their work. (5) Mailed out copies of town's financial report to various entities as required. (6) Next meeting of the Pride Days Committee will be held on November 17<sup>th</sup> at 7 PM. (7) Reminded Council about the next meeting of the MML to be held on November 28<sup>th</sup> at Clear Spring. This will be the annual Legislative night.

Chief George Knight of the Smithsburg Police Department presented the following report: (1) There were 148 calls for service during the month of October with 5 adult arrests and 2 juvenile arrests. (2) The department patrolled a total of 4,125 miles this month and did 18 hours and 10 minutes of foot

patrol. (3) A total of 4,282 patrol checks and 18 premise checks were conducted during the month. (4) Officer Munson had Lethality Assessment Program training with CASA representatives at the Smithsburg Police Department. (5) Officers Hudson and Munson had fire arms qualifications at Warner Hollow range. (6) SPD officers worked a total of 24 hours for the Underage Drinking and Alcohol Compliance Grant this month. (7) Chief Knight reported that they did a DWI check point and had 125 vehicles go through it.

Jeff Long, Public Works Director presented the following report: (1) Completed the fall hydrant flushing. All hydrants are in good working condition and a total of 158,640 gallons was used. (2) Completed phase one work on Grove Lane. (2) Attended a Maryland Rural Water class on Oct. 18<sup>th</sup> in Boonsboro. (3) Hosted a M.R.W. class on Oct. 25<sup>th</sup> at Town Hall. (4) Attended superintendents training at M.D.E. in Baltimore on the 28<sup>th</sup>. (5) Replaced a drain pipe at the entrance of Stanley Hauver Drive. (6) Dealt with a snow event on Oct. 29<sup>th</sup>. (7) Electric service at the town's reservoir, pumping station and WWPS. #2 was interrupted from Saturday until Monday. Our backup generators operated during that period and no problems occurred. UPCOMING EVENTS AND PROJECTS: (1) Winterize Lions Community Park on or about Nov. 1<sup>st</sup>. (2) Winterize Veterans Park on Nov. 14<sup>th</sup> after the Veterans Day ceremony. (3) Winterize all pumping stations. (4) Continue clean up from storm damage. (5) Install snow emergency route signs when they arrive. Average daily water usage for the month was 216,079 gallons.

## **REPORTS -- COMMISSIONS, COMMITTEES**

Appeals Board – No cases.

SCAC – Next meeting will be November 7, 2011 at 7 PM.

Parks and Improvement Commission – Betsy Martin read the following report for the Parks and Improvement Commission: This report includes the activities of the Parks and Improvement Commission reported in the minutes of the October meeting and subsequent updates. (1) Eagle Scout candidate Connor Brown is having trouble receiving scout approvals for the work on the picnic pavilions and wildflower project. He is working with one of our members and Public Works to get the issues resolved. The plan of a second candidate, Austin Lane, was discussed at the October work session and is pending final approval by the Council. Benjamin Connelly, a third candidate, has decided to do a different project for his Eagle Scout requirements. (2) The seasonal decorations for the square have been received. Other decorations for the planters in the square will consist of small holly bushes, if approved by the Council. The plants will be raffled off at the Christmas party to recover some of the cost which will be about \$160 for the eight planters. (3) Our POS request for the pavilion upgrade at Veterans Park is being reviewed by the State for funding. The preliminary sketches prepared by our member, Mark Cline, will be presented for review by the Council at the November work session. (4) The recommended increase of the parks rental fees were discussed at the October work session and were tabled for more research by the Council. (5) Members of the High School Life Skills project have been helping Public Works with parks clean-up. (6) The plans for the Veterans' Day ceremony are nearly completed. Still needed is the name of the Council representative to present the wreath. The featured speaker will be Lieutenant Colonel Joseph Gardenhour, USAF, and 1988 Smithsburg High graduate. (7) Carlo Belella notified the Commission that he is resigning as chairman effective October 10th for health reasons but is planning to remain as a member. Kevin Jeter will assume the position of chairman. (8) The next meeting will be on November 14<sup>th</sup> at 7:00 PM.

Planning Commission – Randy Dick reported that the Planning Commission will be meeting on November 3<sup>rd</sup>. On the agenda will be the site plan review for Hadley Farms.

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

## **COMMUNITY ORGANIZATION REPORTS**

The following written report, prepared by Patrick Baker, Assistant Chief of the Smithsburg Fire Dept. was presented: Totals calls for the month of October (not including calls during this past weekend) was 20 calls for service with 12 volunteers per call. The Fire Department spoke to children at Smithsburg Elementary School, Cascade Elementary School, My Favorite Place and Trinity Learning Center on Fire Safety. During the snow event, the Department handled approximately 70 calls for service ranging from wires/trees down, a shed fire and two “smoke in the structure” calls. They also participated in the Town’s Trick or Treat night.

James Ulrich, Deputy Chief of SEMS reported that they had 97 calls for service during the month of October with a year to date total of 990 calls. They completed the final varsity football game standbys and participated in the Homecoming Parade. They provided a tour of their station and equipment to a Cub Scout Pack. SEMS participated in Trick or Treat Night in Smithsburg. Mr. Ulrich stated that they did not experience any service delivery problems during the first snowfall of the season.

### **CITIZENS COMMENTS ON AGENDA ITEMS OR MISCELLANEOUS REMARKS/CONCERNS**

Kendel Wood of 71 Amanda Drive spoke to Council about her concern regarding the neighbor at 69 Amanda Drive and the fact that there are six unrelated persons living in the house.

### **OLD BUSINESS**

Randy Dick reported that the state has given the loading numbers for the WIP program. However there have been some problems with the program not working. More information will be forthcoming.

Randy Dick reported that the Planning Commission has reviewed the comments from the State on the Comprehensive Report. The Planning Commission, along with the Mayor and Council, will hold a Public Hearing on the Comprehensive Plan at 7 PM on January 3<sup>rd</sup>.

Chief Knight presented to Council the Snow Emergency Policy for their review. Mayor Myers, Chief Knight, Public Works Director Jeff Long and Brian Semler, Town snow remover contractor met prior to tonight’s meeting and went over this document. On a motion by Councilmember Aurand, Council formally adopted the snow removal policy with minor corrections. This policy will be placed on the town’s website along with a FAQ section that Chief Knight will prepare.

### **NEW BUSINESS**

Mayor Myers reported the following Financial Highlights from the Town’s Financial Report for the Year ending June 30, 2011: (1) The assets of the Town exceeded its liabilities at the close of the most recent fiscal year by \$5,713,794. (2) The total net assets decreased by \$143,159. (3) At the close of the current fiscal year, the general fund balance had an increase of \$103,970. (4) The net assets for business-type activities (Water and Sewer) decreased by \$113,788. (5) The town’s long-term obligations decreased by \$14,120. Mayor Myers stated that she was very pleased with the report. On a motion by Councilmember Jernigan, Council unanimously voted to accept the Financial Report.

On a motion by Councilmember Souders, Council unanimously voted to approve the Parks and Improvement Committee’s recommendation to increase by \$5 across by board all park fees for out of town residents.

Councilmember Souders made a motion to introduce “An Ordinance Enacting a Campaign Finance Law” for the Town of Smithsburg. Motion passed by a unanimous vote. A Public Hearing will be

held at 7 PM on December 6<sup>th</sup> to take Public Comments on this Ordinance. Upon passage, a copy of this ordinance along with all forms will be included in the Election Manual.

On a motion by Councilmember Souders, Council unanimously approved the building permit fee waiver requested by Washington County for the installation of aluminum canopies at the Smithsburg Library.

Betsy Martin reported that she had obtained a price for the decals with the town's website to go on the Public Works vehicles. The price for 3" letters is \$24.86 each. The price for 1" letters was \$9.60. Much discussion was held on this. More information will be obtained prior to the next work session.

On the agenda for the November 8<sup>th</sup> work Session will be tree issues.

On the agenda for the November 29th work session will be: (1) IWIF Death Dependency Law – Town Attorney. (2) Fire Hydrant Issues. (3) POS Grant Request – Pavilion Doors – Parks and Improvement Commission. (4) Office Evaluation – Melissa Grove.

### **COUNCILMEMBER REMARKS**

Councilmember Lushbaugh thanked the Public Works Dept., Fire Dept., Police Dept. and SEMS for all their assistance during the surprise snow storm. He also thanked all the agencies who helped with Trick or Treat. He encouraged residents to keep recycling.

Councilmember Aurand also thanked the Public Works Dept., Fire Dept., Police Dept. and SEMS for all their assistance during the surprise snow storm. Also thanks to those who helped with Trick or Treat night. Councilmember Aurand wished Councilmember Martin a speedy recovery.

Councilmember Souders also thanked all who helped the town during the snow storm and Trick or Treat night. He also stated that he has been approached by individuals who are interested in having Neighborhood Watches in the Town. Any resident who is interested in starting/working with a Neighborhood Watch Program should contact the Police Chief. Councilmember Souders also noted that there has been a 40% participation in the recycling program. He stated that if any residents have questions about the program that they should contact any member of the Council. Councilmember Souders thanked Mrs. Wood for coming to tonight's meeting and bringing her concerns to the Council.

Councilmember Jernigan also thanked the Public Works Dept., Fire Dept., Police Dept. and SEMS for all their assistance during the surprise snow storm and those who helped with Trick or Treat. He thanked the Police Department for educating everyone on the alcohol policy during the DWI check point. He encouraged everyone to check out the town's website. He also encouraged residents to voice any of their concerns to the Council members.

The meeting was adjourned at 8:42 PM.

Respectfully submitted,

Betsy Martin,  
Clerk/Treasurer/Manager