

**Minutes of the February 14, 2006  
Regular Monthly Meeting  
Town of Myersville**

Mayor Wayne Creadick called the regular Town monthly meeting to order with the opening of the Pledge of Allegiance. Councilmembers Gary DeMoss, Mark Hinkle, Judy Boone, Kevin Self and Jeff Woods were present.

A motion was made by Gary DeMoss and second by Jeff Woods to accept the January 10, 2006 minutes of the Regular Town Meeting as presented. Motion carried.

**TREASURER'S REPORT:**

Ray Hinkle was unavailable so therefore the Treasurer's Report was dispensed.

**DEPUTY'S REPORT**

Myersville's Community Deputy Jim Harris gave the January Deputy's Report. A copy is on file for Public Review.

**PLANNING REPORT:**

Mayor Wayne Creadick read the Planning Commissions minutes from their February 7, 2006 meeting. Chairman Mark Etheridge was not available.

**ZONING REPORT**

No Zoning Report was given. Kristin Aleshire was not available.

**OPEN SPACE PROJECT:**

- Kristin Aleshire finalized the grading permit for the soccer field.

**MUNICIPAL BUILDING REPORT:**

- They are still working on the banquet hall. They are very close to finishing.
- Alarm system needs to be put in before they can move into the banquet hall.
- Frame work on the Town Hall is up.
- Site work for the utilities is being done.
- Propane fuel is going in soon.

**PARK AND RECREATION COMMITTEE:**

Kevin Self asked if Baseball League will be putting in the fence. Mayor Creadick suggested that Alec Schumacher be asked to the next Town meeting, so that we know what he believes and what we believe are on the same level.

## **WATER SOURCE PROTECTION:**

Earle Villarreal, MES Systems Supervisor presented the Town with the Monthly Water Report, which was read by Mayor Creadick. A copy of this report is on file for public review.

## **MAYORS UPDATES ON PROJECTS:**

- Open Space budgets have been approved and money is available. We will be applying for both funds.

## **OLD BUSINESS:**

Well Head Protection – Donald Easterday starting out by stating that Frederick County developments has an effective plan for keeping citizens from sleeping at night. There has been an increase of 200%. All the land selected to be in the Well Head Protection area has dropped by 90%. These are property areas and delineated acres. We want our municipal waters protected. Mayor Creadick asked if this was an assumption or not for the 200% increase that is impacted by more than any citizens in the area to ½ mile out of Town. Mr. Easterday continued by stating that a formal Councilmember approached him and told not to be surprised if the Town starting digging holes. When he returned from being out of Town there was a hole dug 10 feet from his property and it was at 40gpm. He went on to say that a 6x8 ft. cinder block building was built with a reservoir. Then he was put on Town water. If he didn't go that away the Town was going to bring a law suit against him. He feels that something needs to be done because he can't build on his property until the moratorium is resolved. Joe Manigiafico, a Canada Hill resident stated that the impact from the devolvement is personal. Bill Wolfe, a Clark Road resident stated that he put a well in which the main water supply came from a spring that was put into the pond. This has effected this spring and the water your water is taking my water from my land. Mayor Creadick asked is his farm was in a delineated area. Mr. Wolfe stated yes, that when they turned the wells on his spring went dry so he had to drill a well. Mr. Easterday suggested that we abolish the corporate limits and make everything a community region problem. Go with community instead of a Municipality. Kevin Self stated that the Town is eager to hear the input that is why it was a publicized workshop. We are all here to listen and welcome all. Mayor Creadick went on to say that it has gone to the local Delegation. Their attitude changed. The County Commissioners mostly all said no a month to a month and a half ago. The Federal and State both talked about impoundment saying that there are so many regulations – change of water temperature and the fish dies. Mr. Easterday added that trout fisherman lobby the change of temperature down stream. The rise in temperature makes the wet lands. Mayor Creadick said that they should continue to lobby for effort. Mr. Manigiafico asked if the officials were against water impoundment. Mayor Creadick stated at that time they were because of the West Virginia flood. Mayor Creadick went on to say corporate boundaries will be reviewed. The idea would element Municipalities boundaries a Town this size would be unincorporated and we would have to rely on the County for services. Well head protection would go to Federal Government for Safe Water Drinking Act. The Federal Government mandated this and the County/Municipalities responded and shortly thereafter went over entire states to delineate well head protection area. Municipalities met with the County and they couldn't come to an agreement. The model ordinance is Middletown and Walkersville; they have a working map well head delineate area. If people would not cause pollution by dumping lead pain, oil, and junk vehicles in these areas. In an area where we can hook into the water and sewer system we have that control. The Town was in negotiations with a property owner to buy land. This would have been an additional buffer around the spring land. While we were out trying to get with the state for money, another gentleman bought the land. We didn't find this out until we had the money coming to us. We have concerns that someone will develop the land, drop a septic systems in the delineate area. The springs are more sensitive then well water. We have made an offer with the property buyer but he wasn't interested. We will still continue and try to buffer the area around the springs. If we can't buy the land,

then we go to condemnation. If this doesn't work out the Mayor doesn't want the Council to look like they didn't try to do anything about it. Mr. Easterday said that he opposed the moratorium. Kevin Self asked him to share his concerns. Mr. Easterday said if you condemn the land you pay four times the market price. Kevin Self added that they don't want to sale or condemn. Mr. Easterday came back with that is your choice. One big difference is that you can appeal zoning/rezoning, this you can't. Mayor Creadick added that more value can develop public water and sewer. In your case you have an option. Mr. Easterday continued you can look upon option but not until something in the future administration comes to an agreement. Maybe the next administration won't think that always if it is done formally air-tight. You need to sit down with a lawyer to get it done right. Mayor Creadick went on to say that this is what we want to do extend what they want in the future. Kevin Self added that it sounds realistic. Mr. Easterday continued that he would like to see action taken on the part of the Town. Mayor Creadick said we can't change the orange areas. Gary DeMoss added that there would be uncomfortable growth on his property (Mr. Easterdays). He doesn't know if that would be the way to go. The moratorium would band him from doing so. The property would have to be kept away from pesticides aside from organic pesticides they would be okay. Adding a room to his house doesn't sound impact to the Town. Having a moratorium for 1 year does nothing and is not a right idea either. Mr. Easterday stated that he needs help. He is potentially wiped out. Mayor Creadick told Mr. Easterday to look over the ordinance, zoning regulation and apply them to his property. It doesn't say that you can't develop, if so you need to take different steps. Mayor Creadick then reminded everyone of the Public Hearing that will be held February 21, 2006 at 7 PM. All is encouraged to attend and voice their opinion.

#### **NEW BUSINESS:**

Planning Review Fees – Mayor Creadick stated that Kristin Aleshire said that ARRO costs are more than what we have expected. They have doubled our fees. We need to sit down and do costs study on what he gets from ARRO. If it doubled we are still in the hole. Kristin was not at the meeting to answer questions, so therefore this item was tabled until next meeting.

PWA Drees Homes - This was tabled until next meeting.

Kevin Self stated that someone from Drees Homes was coming to look at the Town doors. They want to do a donation to the Rec. Center by replacing the previous doors.

A workshop will be held on March 1. The subject will be Main Street.

The County will be passing a bill as of May 1, no longer picking up yard waste. If there are bags with yard waste in them they will be left along the curb.

Town election will be May 8, 2006. There are 3 Council seats open. Mayor Creadick asked Judy if she was running – she stated no; Gary DeMoss stated no; and Jeff Woods didn't know yet.

An apology letter was received from the teenage that did the graffiti on the Town Hall.

The next Town meeting will be March 14, 2006 at 7 PM.

A motion to adjourn was made by Jeff Woods with a second by Judy Boone.