

Minutes of the September 12, 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 Mark Hinkle, Kevin Self, Mark Flynn and Michele Tartaglia were present. Councilmember Matt Pridham was absent. Town Attorney, John Clapp was also present at the meeting.

A motion was made by Kevin Self and Mark Hinkle to accept the minutes of August 8, 2006 Regular Monthly meeting and Public Hearing.

TREASURER'S REPORT:

Ray Hinkle gave the Treasurers Report.

DEPUTY'S REPORT

Corporal Mike Grumwell gave the Deputy's Report. Town Resident Deputy Jim Harris was on vacation. A copy is on file for Public Review.

Corporal Grumwell announced that 1 person was arrested for the graffiti that was done on the Town Hall.

PLANNING REPORT:

Chairman Mark Etheridge gave the September Planning Report. A copy is on file for the Public to review.

Mark stated that some of the Planning Commission members would like to attend the MCPA convention in October. It was agreed upon and encouraged that any Planning Commission Member that wanted to attend the convention to do so and the Town would pay for them to attend.

It was in the report about Saber Ridge Homeowners Association (HOA) documents must be completed. Mayor Creadick stated that we don't get involved with the HOA document process. Mark Etheridge stated that the actual approval process they were not sure who actually approved the HOA document. He would like to know how to get verification of the documents. Town Attorney, John Clapp stated that the HOA is an entity that is recorded with the State Department of Assessments and Taxation. You can get on their website to find out when the HOA was created. You need to see that the HOA has in fact been created and that they have their declarations of covenants and that it is recorded in the land records.

Discussion was held on utility easement. Michele Tartaglia suggested that perhaps it could be made as an easement that is just for the Town to maintain for water head. Mr. Clapp stated it would be better if the would have it for an easement for the Town. If you dedicate it for public

use that away everyone can use it. From a Town stand point your better off having it as an easement. Michele added that they are working on sewer easement through the gentleman's private property at Canada Hill. The question is about a pedestrian path which is not in the plans at all. Is this something that the Town will have to deal with later? You will have kids that will walk from Saber Ridge to school. There is no sidewalk there and they need to get to Canada Hill. You have a path and it ends right at the border of the mans private lot. There is a little piece of private land there that is a public road. Ray Hinkle added that an easement was purchased. You didn't buy the land. He retained ownership of the land. We were just given an easement across his property. Mr. Clapp stated make sure you have something in writing and recorded in the land record. This person that owns the land will have to grant it to the Town and have it dedicated as public use for a walkway. Dedicate it as public use somewhere there should be a record stating that the public has use to walk across his property. Mayor Creadick then asked Michele if she would be the liaison between Planning Commission and Town Council on getting this taken care of. Michele stated that she would.

PROJECT OPEN SPACE:

No Report was given.

MUNICIPAL BUILDING REPORT:

Mark Hinkle gave the Municipal Building Report.

- ✓ Alarm/generator will be going in.
- ✓ Tile is being put in.
- ✓ Painting is going on.
- ✓ Once fire hall comes down they will be working on the front parking lot.
- ✓ Completion should be done in about 3 weeks.
- ✓ Suggested that a moving company move the Town Hall items.

PARK AND RECREATION COMMITTEE:

Kevin Self gave the Park and Recreation Committee Report

- ✓ Meeting was cancelled due to open house at school.

WMAA was present to discuss issues about the Park/Town Council

Bobby Riggs has several issues that he wanted clarified about the park. There has been emails going around and he wanted to know who was in charge from the Town. Who had the authority to make decisions about the park? Mayor Creadick stated Kevin Self was appointed as the liaison for the Town on the Park and Rec. Committee. He asked if the money that was allocated for the soccer field been used yet. Money had been sit aside for exaction of the soccer field. The dimension on the soccer field should be full size 210 wide by 360 long. Some how it has been down sized. Poole exaction did the work well under size. It was done 360 long x 200 wide prior to Gary DeMoss request for full size regulation field. Bobby felt that due to

lack of communications the field dimensions were done wrong. Kevin Self stated that you can't say who laid it out. Ray Hinkle said that it done based on Mayor and Councils approval. Bobby added that he and Gary DeMoss met and the dimensions that were given to Donnie Poole were correct. Kevin Self added that the big soccer field is large and they had to sacrifice the parking lot because of it. Bobby added the way the field is now is the way that is gonna have to be. Discussion was then held on due to lack of space on the field there was concern on where the spectators and players would sit or stand. It was decided that Joe Moss, from ARRO would be contacted to get this situation solved. Mayor Creadick also stated that in that in the future to avoid further concerns, issues or misunderstandings go to the Town Liaison and they will talk to the contractor to get the issue resolved.

Bobby then brought up about mowing of the soccer field. Right now the Town mows it. WMAA has mixed feelings about that. They have contracted Alan Harshman to do the mowing of the fields. They asked if the Town would do for soccer as they do for baseball pay half of the bill. Mayor Creadick asked for the Council approval of meeting WMAA half way on their mowing. Kevin Self so moved and second by Mark Flynn. Ray asked Bobby to contact Brian Thompson and get an estimate from him. Since we are government we need to have 2 estimates and we pay the lowest bid.

Mayor Creadick said that the use of the fields is in the planning stage for next year. There will be fall ball, football, rugby, lacrosse and MVAA requested it for girl's field hockey. The field will benefit the Myersville children.

Bobby asked about the final grading. Mayor Creadick stated that we would have to go back to the engineer and see what it will take and how much it will cost. Bobby added that the corner markers are in 6 ft from one side and 4 ft from the other side. Bob Lucernoni stated that they will work with the Town representative so that we are all on the same page.

Michele Tartaglia asked about raising the electric panel. Ray stated that the engineer will be the one to determine if it can be moved or not.

Kevin Self stated that as far as scheduling of the fields you need to get a copy of the schedule to the Town Hall so that we know who will be using the field and that the proper paperwork is filled out. Shelly Lewis stated that she will be the liaison and will be getting a schedule to the Town Hall.

WATER SOURCE PROTECTION REPORT:

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.

Ray Hinkle reported that MES would like to do a smoke test on the sewer collection system. The collection system is currently experiencing an increase in inflow and infiltration (I/I) during wet weather events. In sewer systems, the increase in I/I can be a result of offset sewer pipe joints, leaking laterals, improper storm water connections, residential downspouts, basement sump pumps and flooded manhole covers. Elimination of these sources of I/I requires a comprehensive evaluation of the sewer systems.

They put smoke in the manholes and it will show the areas where the problem is. Then the question is do we repair or treat it. After this is done it would then bring the figures to where they should be. The wastewater treatment plant is treating rain water not sewage. We fix it and then go ahead and treat it. The cost for this project is \$3,631.00. Mayor and Council approved to have this project done.

MAYORS UPDATE ON PROJECTS:

- ✓ Kristin has resigned as Town planner as of August 31st. We will have the same arrangements with Middletown as we did before. It is a 60/40 split. Middletown will be continuing their interviews to find a replacement.
- ✓ August 24, 2006 invited to Annapolis to accept the grant for \$75,000. from the Chesapeake bay Wildlife Association. This will go towards the stabilization of the Catoctin Creek. Route 17 Middle Creek erosion and the foundation that has been washed out. This will begin in the spring of 2007.
- ✓ Met with Emergency Management representatives about getting new fencing around the reservoirs at the water plant and on Easterday Road. Also talked about the fire alarm system. Tied into the fire alarm will be a voice activated system stating an emergency and telling you what it is and where you need to go to.
- ✓ Municipalities are revisiting the bulk pick up to figure out a way to save cost. One way is to coordinate an in Town pick up and not pay the tipping fees. Or the County can issue vouchers and we will pay the tonnage. This to benefit the municipality and the county.
- ✓ Wellhead is in its final Memorandum of Understanding. The County has notified the Municipalities to get involved.
- ✓ Will be meeting the purchasers of the Battiata property in the near future. They have plans on a multi purpose use.
- ✓ 9/18/06, 9/19/06 and 9/25/06 a meeting will be held with Pat Hammond and Zoe Goodson from MDE. They will be checking the water supply. It will be documented for a period of a year.
- ✓ The office of Economic Development will be sponsoring a forum. This event would be for any and all local municipal officials. This could be done at an upcoming workshop. This would be about successful incubator projects.

OLD BUSINESS:

Sabre Ridge Public Works Agreement – The point of structure regarding the contribution fee that Myersville has historically charged for new developments. Basically it is a document with a blank space where you record a fee. At the August meeting we did not have an appropriate quorum to vote on this issue. However it was tabled and brought back for the September meeting to discuss. What we need to do is establish this number that needs to be put into the agreement. We will put in the agreement whatever that figure is and present it to Sabre Ridge. They can then take it from there and come back with any comments. The Council has had workshops on the issue and discussion on this as well.

Mayor Creadick asked for a motion to set the contribution fee for the Sabre Ridge Public Works Agreement. Mark Hinkle mad a motion to set the amount for the Public Works Agreement at \$9228.61 as discussed at our last workshop. Mark Flynn seconds the motion.

Mayor Creadick noted that Councilman Matt Pridham had given the Mayor a letter that he wanted to be read at the meeting. Mayor Creadick stated it was by no way a proxy.

John Clapp, Town Attorney asked if he could make a clarification. He stated you are proposing to place a number and insert into the PWA which will be an agreement between you and the other party. This is being presented as a proposal to them for them to then consider.

Mayor Creadick stated that they are to review this as part of the agreement. It is not final. We could still consider this a draft. A proposal to that agreement that we will present to the other party for them to consider.

Mayor Creadick asked for those in favor of the contribution fee for Sabre Ridge Public Works Agreement for \$9,228.61 to state by raising their hands. 2 voted for: Mark Hinkle and Mark Flynn. 2 voted against: Michele Tartaglia and Kevin Self. Councilmember Matt Pridham was absent. Therefore the vote is a tie. When there is a tie the Mayor makes the deciding vote. Mayor Creadick voted in favor of the fee.

Krista McGowan, Attorney for Sabre Ridge stated that they do not accept the PWA as presented.

Mayor Creadick stated that the money figure will be inserted into the PWA and another draft will be made by Town Attorney, John Clapp.

Kyle Ryan – Eagle Scout Project. Kyle presented to the Mayor and Council an updated sketch of his Eagle Project. The sketch showed where the trash can stations would be placed as well as the grill. The grill will be at the pavilion and the trash can stations would be all around Doub's Park. Michele Tartaglia noted that she had put trash cans in the Park and Community Grant that she applied for. After some discussion it was decided that he would need 14 trash can and 1 grill. Mayor and Council asked Ryan to rework the figures and submit them to the Town Office. A motion was made and approved that upon inspection of the new proposal for the Eagle Scout Project for the Park improvement a decision will then be made accordingly.

Key Sanitation - Bob Clark wrote a letter to the Mayor and Council requesting a 5% increase for trash and yard waste collection due to fuel rate increase. After some discussion the Mayor and Council decided that it would be best if Mr. Clark would come and talk to them about this increase. They would like more details on this issue. A meeting will be set up for Mr. Clark to attend the next workshop.

Bobby Riggs spoke to the Mayor and Council about Personnel issues that he had. He received and email awhile back that should have went to the Soccer President instead of Baseball President. He felt that the email was disrespectful. Ray Hinkle stated that he was the one that sent it out. From now on he will send it to the right organization's President. He apologized if he did something wrong.

HOUSEKEEPING:

- ✓ October 4, 2006 at 7 PM – Workshop
- ✓ October 10, 2006 at 7 PM – Regular Town Meeting
- ✓ October 27, 2006 will be considered the Town Halloween Parade

Mark Hinkle reminded everyone that there is a leash law as well as a pooper scooper law for all dogs that are in the park. He has received a complaint that there have been some dogs left run in the park without leashes.

Mike Morse a Meadowridge resident asked about the website being updated. Mayor Creadick stated that it will be done as soon as our contact can do it.

Mayor Creadick talked about having the Code of Ordinance put into an electric format. We paid \$1,400.00 a year to have this service. This service will be put on the website.

Mayor Creadick stated that it is with due regret Kevin Self has turned in his resignation from Council. Kevin said that due to family obligations at this time he would have to resign from being a Councilmember. Mayor Creadick thanked him for his many years of services.

Entertainment for motion of adjournment was called for and a motion was made by Mark Flynn and seconded by Kevin Self.