

TOWN COMMISSIONER'S MEETING AUGUST 12, 2008

Commissioner Gell called the meeting to order at 6:33 pm with Commissioners Sheets and Price in attendance. Ryleigh Johnson led the Pledge of Allegiance. Commissioner Durange arrived at 6:41, Board President, Vandervort arrived at 7:32.

Miller Environmental, Inc. representative, Robert Corn, presented the water treatment plant operation and maintenance report for July. There were no notable occurrences to report.

The minutes from the July 22, 2008 meeting were reviewed. Commissioner Price moved to accept them as written; Commissioner Gell seconded. The minutes were approved 2-0 with Commissioner Sheets abstaining. 2-0

Sgt. Campbell could not be present to narrate the Sheriff's Report. Commissioner Price briefly discussed the additional hours required for RiverFest 2008 and who may be paying for the them.

Accounts payable were reviewed. Commissioner Gell questioned the reduction in fuel usage and subsequent cost from the previous month's billing. The Town Administrator offered an explanation that involved better record keeping and credit card monitoring. Commissioner Sheets moved to pay the bills with Commissioner Price as second. The motion passed unanimously 4-0.

Town Administrator - Flood Plain Manager certification was accomplished after a week-long course the previous week. The knowledge from this course proved quite useful during a visit from the Corps of Engineers this week. The Engineers will need to be apprised of which structures, west of Route 7, were at all affected by flood waters. Apparently the Charlestown area is in the process of being reevaluated with regard to GIS (Geographic Information System) maps. They will be auditing this area this year in relation to the Flood Insurance Rate Maps (FIRMs). It was noted that these visiting engineers can do only non-structural remedies. Mr. Burden next discussed a shipping container which has been moved onto a residential lot and appears to be a zoning problem. A letter will be written to address the set-back issue involved. An ordinance may have to be considered to rectify this issue.

Animal farms in town were the next topic. According to the Code, these animals are allowed to be kept within Town limits; the limitation being that they must be kept at least 200 feet from the front property line

MRS wants to place a new pumping station in front of the colonial cemetery on Cecil Street. This was not looked upon favorably.

The Charlestown Volunteer Fire Department check was discussed to clarify that the donation (\$10,000) and the later Town tax rebates for volunteers are indeed separate items.

Stephanie Garrety, Chuck Smizer, Commissioner Price and Henry Burden toured Holloway Beach during the first week of August to observe the septic system problems in that area. Apparently, because this area has officially been declared a failed septic area since 1993 by the MDE, instituting a permit moratorium, nothing more can be done for the area which happens to be located in the County.

Public Comment was offered regarding credit card usage tracked by personnel and tracking odometers by various credit companies.

Aero Energy representatives, Joe Mailey and Dave Clark, appeared to propose a community-wide propane gas system in Cool Springs. It was proposed that Mr. Burden do the negotiations on this project. It was noted that natural gas pipeline are already present in some parts of the county. A natural gas concern is expected at a Commissioner's meeting to discuss their own proposal. President Vandervort expressed his dismay (later in the meeting) with some issues involving the performance derived from these centralized LPG systems and was disappointed at not having the opportunity to be present to ask his questions.

Gary Hitch was present to request a fine waiver from his fence permit. He had begun installing his fence when he was informed that it was non-compliant and that he did not have a permit for a fence. The fine for non-permit was \$100. Confusion occurred because Mr. Hitch thought all pools automatically had to be fenced, so the permit he had for his pool would include any fencing. It was noted that the existing fence was partially in non-tidal wetlands and this would be corrected with the new fence. Commissioner Gell moved to waive the \$80.00 fine since it appeared to be a replacement fence and would now be properly placed. Commissioner Sheets seconded and it was unanimously approved. 4-0

Lee's Marina wants to sub-let office space in the second story of their Town-leased building. Since this requires Town Commission approval, Commissioner Price moved to allow the sub-let and Commissioner Sheets seconded. The motion was unanimously approved. 4-0

Lambdin sewer/water hook-up waiver. Service for a house that was demolished for entrance road construction was disconnected and billing stopped. There was no information delivered to Lambdin on the reconnection fees. It was decided that if the new hook-up location contains part of the original lot, Mr. Lambdin would be able to pay only the back payments (to when billing ceased) to reconnect. A motion was made by Commissioner Sheets to determine the lot location, and if it qualifies, Mr. Lambdin may pay the minimum billings necessary and get the hookup. If the new location does not qualify the cost of a new hook-up must be paid. Commissioner Gell made a second on this motion, and it was unanimously approved 5-0.

Curtis Elmer wants a stormwater culvert redirected from his side yard as he is getting run-off from neighboring properties and springs. He would like the water to go somewhere other than through this lot so he may be able to sell it as a building site. Discussion ensued concerning possible solutions and how this situation was originally created. No action was taken since Mr. Elmer was not in attendance.

URS has submitted an invoice for an additional charges to the Town Hall Drainage Project. Commissioner Gell moved to approve the invoice with Commissioner Sheets seconding. All approved the motion 5-0.

A Planning & Zoning Board resignation was presented and accepted. It will now be advertised and applications will be accepted until September 5, 2008 to fill the position whose term expires in November of 2011.

Champion Partners Group past due invoice from 3/31/08 for 30 sewer ELU's totalling \$75,000 will be referred to the Town Lawyer, Keith Baines, to initiate collection proceedings.

The employee benefits package to provide better medical coverage, a 401K retirement plan and the annual raise was presented for discussion. It was noted that these items have already been included in the 2008 budget. Restructuring of the vacation and sick leave schedules was deferred since not all commissioners had had an opportunity to study the options. The employee preferred medical plan was presented. This having 90% premium paid by the Town. A 10% matching 401K plan and a 3% general employee raise was proposed with the increase being retroactive to July 1, 2008. Commissioner Sheets motioned to accept the proposed medical plan, the 10% matching 401K and the 3% pay increase retroactive to July 1. Commissioner Gell seconded the motion and it was unanimously approved. 5-0

The Vector Ordinance was presented for discussion and approval. President Vandervort opposed the portion which allows access to private property. Commissioner Price motioned that the ordinance will be rewritten by removing Section 7C (RE: entering private property) and Commissioner Sheets seconded. The ordinance will be amended to be voted on at the next meeting. A hearing will not have to be held on this issue.

President Vandervort has been investigated local banks to compare rates and services. He reported on his meetings with both PNC Bank and Cecil Bank. It was noted that Cecil Bank can FDIC insure up to \$10,000,000. Certificate of Deposits could be managed at Cecil Bank so there would be no penalties for early withdrawals and they are now earning 3.25% for 12 months and 3% for 6 months. PNC Bank, it was found, cannot match these services. President Vandervort would coordinate with the Town Office Manager to implement a move. Commissioner Sheets motioned to move the Town's banking to Cecil Bank. Commissioner Durange followed with a second and the move was unanimously approved. 5-0

Council of Governments by-laws draft was presented by Commissioner Gell for discussion. The various mayors of Cecil County have been in discussions for many months concerning the issues covered in the by-laws. It was noted that apparently Cecil County Government would not wish to abide by these by-laws. Discussion occurred concerning current County proposals. When the final version of the by-laws comes forth, the Commissioners would have to vote to give the President of the Board authority to sign.

Commissioner Gell would like to attend the MML Fall Conference. Commissioner Sheets motioned to approve both Commissioner Gell's and President Vandervort's attendance at this

Conference. Commissioner Price seconded and all approved with Commissioner Gell abstaining. 4-0

Commissioner Price discussed meeting of the Parks/Vision committee. It was generally agreed that linear parks and trails connecting existing parks are the ultimate aim. The next meeting will be on 08/19/08 at 7:00 in the Town Hall where they hope to welcome more participants. The Trinity Woods Park, it was suggested by the Mid-Atlantic representative, would consist of two play structures; one Tot Lot and the other for older children. Diagrams and cost estimates will be available for the next meeting. Stan Hearne is required to submit the grant application for this playground equipment by 8/25/2008. The Commissioners were asked to grant approval, in advance, for what the committee will decide at the 8/19 meeting since the grant must be submitted before the next scheduled Commissioner's meeting.

It was noted that the Fair Green Park gazebo and the "Ice House" are both in need of painting. It was decided to paint the gazebo first then the ice house, with both to be completed before RiverFest. It was also suggested to erect a fence around Boy's & Girl's Club. It was decided to investigate a money source and fence designs to fence and refurbish the area.

Commissioner Gell asked if the recent visit from the Corps of Engineers had arrived at any conclusions. The main conclusion appears to be that any money is specific to relieving the water back-up under the rail road tracks, but this is not a certainty and they will be checking with their attorney on this matter. The Corps have requested various maps and information on the flooded homes which will be supplied with hopes that they will return with some solid information.

Commissioner Sheets feels the Town should have better video security at Fair Green Park. Different systems are now available and Mr. Burden was tasked to investigate these and offer suggestions..

Commissioner Sheets would like to discuss the inequity of the Trinity Woods/Charlestown Manor sewer rates. Apparently, rates for the Town of Charlestown were supposed to apply to annexed areas also. This issue was deferred to an executive session after the 8/26/08 meeting.

Commissioner Durange questioned the need for the handicapped portable toilet at Fair Green Park. If it is a necessity, it was noted that its location makes it impossible for any handicapped person to use. It should be on hard, level surface. Several suggestions were offered and Mr. Burden will work on finding a solution.

Mr. Burden asked permission to purchase a display board for the Town use. He has found a used one for \$600. He explained the purpose of this board. Commissioner Sheets motioned to approve the purchase with Commissioner Durange seconding and all approving.

Commissioner Sheets moved to adjourn the meeting at 9:27; Commissioner Durange seconded and it was unanimously agreed to adjourn.