

**QUEENSTOWN COMMISSIONERS****January 11, 2017**

**PRESENT:** President Thomas B. Willis, Jr., Commissioner George L. Plumbo, Jr., and Commissioner Hogie Schuster.

**MEETING CALLED TO ORDER:**

President Willis called the meeting to order at 3:00 p.m. In addition to the Commissioners, Town Attorney Brynja Booth, Acting Town Manager Mike Bowell, and Town Clerk Amy Moore were present.

President Willis motioned to adjourn into a closed session to obtain legal advice related to the Wheatland's Growth Allocation request. Motion was seconded by Commissioner Plumbo. Vote 3-aye, 0-nay. The Commissioners adjourned into closed session at 3:02 p.m.

The Commissioners resumed the open session at 3:35 p.m. With no further business to discuss until the public hearing, President Willis motioned to adjourn the meeting until the public hearing commenced. Motion was seconded by Commissioner Schuster. Vote: 3-aye, 0-nay.

At 4:00 p.m., President Willis called the public meeting to order and announced that the Commissioners would resume the public hearing on Ordinance 16-04, which had been continued from the public hearing on December 14, 2016:

**PROPOSED ORDINANCE 16-04:**

**AN ORDINANCE OF THE TOWN OF QUEENSTOWN TO APPLY THE GROWTH ALLOCATION FLOATING ZONE DISTRICT TO RECLASSIFY 59.70 ACRES OF CRITICAL AREA LANDS WITHIN THE WATERMAN PROPERTY FROM RESOURCE CONSERVATION AREA (RCA) TO INTENSELY DEVELOPED AREA (IDA)**

President Willis asked for public comment on the Ordinance -

- Perry Stutman, 7102 Second Avenue – at last meeting, comments were made about the large parking area proposed at Wheatland's. Town stormwater and State requirements are in place to address this type of development, and the Town's engineer has a track record for seeing requirements are followed. Geese produce an average of 5 lbs. of fecal matter per day, which ultimately goes into the rivers and streams. That is worse than the run off anticipated from the parking lot. Residents at Sportsman Neck would unwillingly contribute more run off into the Wye River than Wheatland's will.

There being no other public comments, President Willis motion to close the hearing at 4:07 p.m. Motion seconded by Commissioner Plumbo. Vote: 3-aye, 0-nay

**REGULAR MEETING CALLED TO ORDER AT 4:07 P.M.**

Town Attorney, Brynja Booth stated that she previously provided the Commissioners with the Findings of Fact on the Growth Allocation request from the Waterman family. She advised that

the draft Findings were circulated to the Commissioners by email and were posted on the Town's website on December, 21<sup>nd</sup> and have been available online and at the Town Office for public inspection and review since that date. The Commissioners noted that each had reviewed the Findings of Fact prepared by Ms. Booth.

President Willis motioned to adopt Ordinance 16-04 as presented. Motion seconded by Commissioner Schuster. Vote: 3-aye, 0-nay.

President Willis motioned to adopt the Growth Allocation Finding of Fact for the Wheatland property as written. Motion seconded by Commissioner Schuster. Vote: 3-aye, 0-nay

#### **OPEN DISCUSSION:**

- There was no public comment

#### **PUBLIC WORKS: Lane Cole**

- Paving on Melvin Avenue should start in the next day or so. When completed, then will decide on speed bumps. Will be same amount if not more than before.
- Has moved into the new office at the shop
- Inspection of new shop and office resulted in few punch list items to be taken care of.
- The old building to be torn down and will run some block to have 4 10' areas to store sand, dirt, stone, etc.

#### **PLANNING: Phil Snyder**

- Planning Commission reappointed their current board as follows:
  - Al Hardee - Chairman
  - Matt Reno – Vice Chairman
  - Betty White – Secretary
- New owners of 500 Del Rhodes should take ownership in January. Once transfer complete, they look for plans to come for improvements.

#### **FINANCE COMMITTEE: Patricia Bowell**

- Working on contract for the new billing program.
- Working on a \$30,000 annual grant from MDE related to the ENR/BNR operation of the plant
- Tax set off meeting with County is scheduled for March.
- Rick Tull, Lank Johnson & Tull, will attend next meeting to review the FYE 6/30/16 audited financials.

#### **TOWN MANAGER: Mike Bowell**

- Assisting Commissioners to bring administrative needs
- Hired Aaron Horney as an administrative assistant in the office.
- Working on new reporting, modification of work stations and positions and grants.

#### **TREASURER'S REPORT:**

General Fund checking	\$438,160.65
Water/Sewer Fund checking	\$198,480.43
WWTP Project Fund checking	\$ 39,087.57

#### **MINUTES:**

No minutes presented for approval

**CLERK:**

- Letter received from the Critical Area Commission advising our submittal of Ordinance 16-03, which updates the town's Critical Area map in accordance with State Law and the Critical Area Commission's mapping regulations. They will notify us within 30 days of any amendments or refinements.
- Reminder that the Queenstown Vol. Fire Dept. is holding their installation of officers on Saturday, January 14, 2017 and the Commissioners and staff are invited.
- Clerk advised that Royal Farms has requested the release of their two remaining bonds - \$24,061 for landscaping, and \$60,793 (reduced from original amount) for roads. Per Lane Cole, he believes the landscaping bond should be released, but recommends holding the road bond for one year following the recent completion of the repaving. The paving has not held up for one consecutive year and doesn't feel we should release until it does. Patricia Bowell stated that the dirt pile on/near the property may be under the landscaping bond. Lane Cole and President Willis will check, and if not, the landscaping bond can be released.

**OLD BUSINESS:**

- Perry Stutman gave an update on his progress with the Risk Management Manual. Patricia Bowell advised that it should meet the minimum requirements of 1) having a risk management manual, 2) contain checklist for monthly/quarterly reviews, 3) reviews insurance coverage, and 4) loss control review.

**ATTORNEY UPDATES: Brynja Booth**

- No updates

Joe Kelkowski, Aker Road – asked if the town has a drug screening policy. If we don't, then he suggested we should, as other towns and businesses have them. He was advised that we don't currently have a policy in effect, but our town attorney would look into it.

There being no further business at this time, President Willis motioned to adjourn the meeting at 4:41 p.m. Motion seconded by Commissioner Plumbo 3-aye, 0-nay

Respectfully submitted,

  
Amy W. Moore, Town Clerk

TOWN OF QUEENSTOWN

**CLOSED MEETING/EXECUTIVE SESSION RECORD**

A public body that meets in closed session may not discuss or act on any matter not permitted under the Maryland Statute summarized below. The public meeting law does not apply to executive functions, quasi judicial functions, or chance encounters or social meetings.

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- (1) DATE AND TIME OF PROPOSED CLOSED MEETING OR EXECUTIVE SESSION:

Date: 11/11/17 Time: 3:02 PM

- (2) LEGAL AUTHORITY FOR CLOSING PUBLIC MEETING OR GOING INTO EXECUTIVE SESSION (circle the section of the law which authorizes the closed session):

Open Meetings Act, Maryland Code Annotated, General Provisions Article, § 3-305(b) (2014)

- (1) discuss:
- (i) the appointment, employment, assignment, promotion, discipline, demotion, compensation, removal, resignation, or performance evaluation of appointees, employees, or officials over whom it has jurisdiction; or
  - (ii) any other personnel matter that affects 1 or more specific individuals;
- (2) protect the privacy or reputation of individuals with respect to a matter that is not related to public business;
- (3) consider the acquisition of real property for a public purpose and matters directly related thereto;
- (4) consider a matter that concerns the proposal for a business or industrial organization to locate, expand, or remain in the State;
- (5) consider the investment of public funds;
- (6) consider the marketing of public securities;

- (7) consult with counsel to obtain legal advice;
- (8) consult with staff, or other individuals about pending or potential litigation;
- (9) conduct collective bargaining negotiations or consider matters that relate to the negotiations;
- (10) discuss public security, if the public body determines that public discussion would constitute a risk to the public or to the public security, including:
  - (i) the deployment of fire and police services and staff; and
  - (ii) the development and implementation of emergency plans;
- (11) prepare, administer, or grade a scholastic, licensing, or qualifying examination;
- (12) conduct or discuss an investigative proceeding on actual or possible criminal conduct;
- (13) comply with a specific constitutional, statutory, or judicially imposed requirement that prevents public disclosures about a particular proceeding or matter; or
- (14) before a contract is awarded or bids are opened, discuss a matter directly related to a negotiating strategy or the contents of a bid or proposal, if public discussion or disclosure would adversely impact the ability of the public body to participate in the competitive bidding or proposal process.

(3) TOWN BOARD, AGENCY, OR COMMISSION PROPOSING CLOSED OR EXECUTIVE SESSION:

Commissioners of Queerstown  
 (Name of Board, Agency, Commission, or Committee)

(4) IDENTIFY TOPIC(S) PROPOSED FOR DISCUSSION IN CLOSED SESSION:

Legal advice on wheat lands growth  
allocation; legal advice on ~~the~~  
WWTP financing issue.

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(5) MEMBERS OF BOARD, AGENCY, COMMISSION, OR COMMITTEE  
PRESENT AT PUBLIC MEETING AT WHICH CLOSED SESSION  
REQUESTED:

<u>Name</u>	<u>Vote on Closure</u> (circle correct vote)
George Plumbo	<input checked="" type="radio"/> For / <input type="radio"/> Against
Thomas Willis, Jr.	<input checked="" type="radio"/> For / <input type="radio"/> Against
Hoagie Schuster	<input checked="" type="radio"/> For / <input type="radio"/> Against
	For/Against
	For/Against

(6) TIME CLOSED SESSION CONVENED: 3:06 pm  
TIME CLOSED SESSION CONCLUDED: 3:35 pm

(7) PERSONS PRESENT AT CLOSED SESSION:  
Tommy Willis, Hoagie Schuster,  
George Plumbo, Amy Mome,  
Lane Cote, Mike Bowell,  
Bryana Barber

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(8) PLACE CLOSED OR EXECUTIVE SESSION HELD:

Town Office

(9) PURPOSE OF AND TOPICS DISCUSSED AT CLOSED SESSION:

Obtain legal advice on grant allocation and WWTP financing issue

(10) SUMMARY OF ACTIONS TAKEN AT CLOSED SESSION, IF ANY:

No action - discussion only

**CERTIFICATE OF PRESIDING OFFICER**

I hereby certify that I am the presiding officer of Commissioners of Queenstown public board, agency, commission, committee, or other public body of the Town of Queenstown, Maryland. I further certify that by a majority vote on the 11th day of January, 2017, the aforesaid agency, board, committee, or commission voted to hold a closed meeting for the purposes, and to discuss the topics, set forth above, and that no other topics were discussed, and that the foregoing is a true record of the closed

meeting described herein. The Clerk is directed to maintain this document as a public record of the Town of Queenstown, and to append the same to the minutes of the next public meeting of the aforesaid agency, board, committee, or commission.

11/11/17  
Date

Thomas B. Willis, Jr.  
Signature

Thomas B. Willis, Jr.  
Printed Name

President.  
Title