

SHARPSBURG MAYOR AND COUNCIL
*** AMENDED REGULAR MEETING MINUTES**
OCTOBER 7, 2024

The Mayor and Council of Sharpsburg, MD held their monthly meeting on Monday, October 7, 2024 at 6:00 PM in the Council meeting room of Town Hall located at 106 E. Main Street in Sharpsburg. In attendance were Mayor Russell Weaver, Vice Mayor Jacob Martz, Councilmembers Ed Beeler, Joseph Kudla, John Hammond, Mia Parsons and Robbie Waters. Town Administrator Debra Smith was also present and Zoning Administrator Tim Lung was present via zoom.

Mayor Weaver proposed that the agenda be amended by skipping the Council Reports unless there is an item that need to be voted on in order to spend time on Unfinished and New Business Items.

CALL TO ORDER AND PLEDGE led by Councilmember Waters with a moment of silence held for Denise Troxell and Nancy Kefauver.

GUESTS/CITIZENS COMMENTS

**A concerned citizen* inquired about the permit for Green Hill Farms on Mondell Rd, stating that the music from the events exceed what is advertised. Zoning Administrator Tim Lung stated that Green Hill Farms is situated outside of the towns limits and while he has no authority on the matter, he will contact County Planner Jill Baker.

APPROVAL OF MINUTES

September 9, 2024 Public Hearing Minutes – Motion by Councilmember Beeler, second by Councilmember Kudla to approve the public hearing minutes and to have the Do Not Enter sign made and posted. Motion carried.

September 9, 2024 Regular Minutes - Motion by Councilmember Beeler, second by Vice-Mayor Martz to approve the regular meeting minutes. Motion carried.

APPROVAL OF FINANCIAL REPORTS

September 2024 Financial Report - **Motion** by Councilmember Waters, second by Councilmember Kudla to approve the September 2024 Financial report. Motion carried.

CORRESPONDENCE

- SEK FY24 Audit Engagement Letter

ZONING ADMINISTRATORS REPORT – Tim Lung

- Inspected and found in compliance property along the south side of E. Antietam St. regarding removal of 5 or more unlicensed/expired vehicles (junk).
- Board of Zoning Appeals held a public hearing on Oct 1 to hear an application for a Special Exception from Robert Campbell to establish a museum at his property at 137 East Main Street. The Board approved the application with conditions that it be established as a non-profit, adequate parking being provided on-site or off-site within 400', signage to meet Zoning Ordinance standards.
- The Board of Zoning Appeals is short one member. The Board requires three primary members and two alternates. Recommend Council appoint a new member.
- Issued a permit for placement of a roll off dumpster at 105 N. Mechanic St for the purpose of renovating an existing dwelling.
- Issued a notice of violation for tall weeds/grass at 120 Church St. Property was brought into compliance within the 10-day period.
- Responded to several inquiries regarding zoning and permitting requirement questions
- Proposed draft Zoning Ordinance text amendments and violation notice regarding Home Occupation businesses on hold pending scheduling of a workshop meeting with the Planning Commission and Council.
- Continue to gather information and preparation of the permit application for the Big Spring wall restoration project.

- Reviewing Maryland Department of Planning Annual Report filing form. When complete, will forward to the Planning Commission for approval.
- Pending scheduling of a meeting with Town officials and Staff and Greg Cartrette, Director of the County Permitting and Inspections Department to introduce new County staff that will be working with the Town and review building code changes.
 - Received an inquiry from the Fire Company Chief regarding open burning regulations. Have been researching Town Code, DNR and MDE regulations to establish a clarification of the regulations and enforcement measures and responsibilities. (Md. Code Regs. 26.11.07.05 - Open Fires Allowed Without Authorization of Control Officer or Public Officer (5) *Recreational purposes, such as campfires*) Any complaints should be submitted to the Health Department who will investigate the matter.

MAYORS REPORT – Mayor Weaver announced that he will be running for re-election as mayor in the towns November 19th election. (the election will be for mayor and 2-councilmembers)

COUNCIL MEMBERS REPORTS

Councilmember Parsons – Comprehensive Plan Review will be held on October 30th.

- Councilmember Parsons made a motion to nominate Brianna Candelaria as a member of the Planning Commission. Motion carried unanimously.

COMMUNITY PARTNERS

Park Advisory Board - Chris Vincent – submitted a report to the Mayor and Council.

Town Crier - Mike Arant - all submissions due by October 20th.

UNFINISHED BUSINESS

Well Drilling Bid Results and Project Update- The County again received 1-bid and again from Negley’s Well Drilling with a base bid of \$136,936.50 and \$208,336.50 with the contingent bid items. Mayor Weaver Stated that an MDE representative participated at the on-site meeting with the County representatives and stated that once the well is drilled and tested, it can be expected that it will be found to be under the influence of source water contamination and a filtration plant like Boonsboro’s will need to be constructed. Based on this information, Town Administrator Smith stated that under the current agreement, there are no provisions that stipulate the County's intentions after the well is drilled should MDE mandate a water filtration facility be constructed based on the results of the GWUDI testing. If the County has no plans to meet MDE provisions now or in the near future should they be required, the town would like the option of utilizing the 50% of the well drilling cost as a water rebate for the residents of Sharpsburg. Council gave consensus to submit a revised agreement to the county prior to drilling the well and to submit the information to the Town Crier to keep residents apprised of the matter.

Alley 9 One-Way to Snyders Landing Rd Proposal – approved the installation of a Do Not Enter sign on Main Street.

Town Hall/Library ADA Ramp Replacement Update – Councilmember Hammond presented a quote from Callas Contractors to replace the concrete ramp in front of the town hall/library. A quote of \$46,800.00 includes, supervision, architectural fee to draw plans for permitting, demolition of the existing ramp, new concrete ramp to meet ADA code, new two-line prime painted steel pipe handrail, electrical extending the timer and electrical outlets. An alternate bid of \$23,400.00 to install automated openers attached to existing doors with 3-push pads. Total of \$70,200.00. Mayor Weaver stated that approximately 80% of the people entering the building are coming to the library, therefore Councilmember Hammond has agreed to approach the County/Library Board to assist in funding the project.

Big Spring MDE Waterway Permit Status – Mayor Weaver asked Zoning Administrator Tim Lung what the status of the Big Spring MDE Waterway Permit was. Mr. Lung stated that the window to enter the waterway is currently closed and that the application process is a lengthy and time-consuming and needed to discuss the process with the Mayor prior to proceeding.

NEW BUSINESS

Sharpsburg Historical Park Bid Results – Project Financing – one bid was received on September 13th from Huntzberry Brothers, Inc in the amount of \$344,995.00, which is \$66,252.00 below the project grant of \$411,247.00. A meeting was held today with both Frederick Seibert and Huntzberry Brothers to clarify a some of the proposed materials proposed for the project. Samples will be available for the Council at the November meeting.

- **Project Financing**- the project is expected to take approximately 3 months to complete, and Program Open Space has confirmed that they are running 4-5 months behind on grant reimbursements, which means that the project would be completed before receiving any funding to pay the contractor. Jefferson Security Bank has agreed to establish a secured line of credit to cover the project in order to pay the contractor which would be paid off with the grant. **Motion** by Councilmember Waters, second by Vice-Mayor Martz to approve the requested short-term secured construction loan from Jefferson Security Bank. Motion carried.

2025 Trash Collection Bid Results – Contract Approval – two-bids were received on October 2nd from J&J, Inc in the amount of \$3,739.50/month or \$44,874.00/year and Apple Valley Waste in the amount of \$4,986.00/month or \$59,832.00/year. Both bids include tipping fees and every resident receiving a 96-gallon toter. While J&J, Inc. was the low bidder, Council felt that residents should have the option of using bags as many areas in town do not provide the ease of getting a toter to the street for collection by the automated side load truck utilized by J&J, Inc. Council voted unanimously to approve the 2025 trash collection bid to Apple Valley Waste. Motion carried.

Garrison Spring Alley Culvert – Frederick Seibert is preparing a report on the needed bridge repairs.

Election Board Appointment – Mayor Weaver nominated Darlene Albritton to the election board. Unanimous approval.

ADJOURNMENT – **Motion** by Vice-Mayor Martz, second by Councilmember Waters to adjourn the meeting at 7:50 PM. Motion carried.

Respectfully submitted,

Debra A. Smith
Town Administrator/Clerk