

**MAYOR AND COUNCIL OF FEDERALSBURG
REGULAR MONTHLY MEETING
MONDAY, JANUARY 5, 2009 @ 6:00 P.M.**

The Regular Monthly Meeting of the Mayor and Council of Federalsburg was held on Monday, January 5, 2009 at 6 p.m. Those in attendance were Mayor Ballas, Councilmembers Gasser, Gutkin, Willis, and Fluharty. Also in attendance were local citizenry, guests, staff, and media.

The meeting was called to order by Mayor Ballas who led the group in reciting the Pledge of Allegiance.

CLOSED SESSION ANNOUNCEMENT

Mayor Ballas advised that as allowed under the State Government Article, Section 10-508 (a) 1, a closed session was held prior to the regular meeting from 4:30 p.m. to 6:00 p.m. to discuss personnel and legal issues.

GUESTS

Joe Ross, CEO of Easton Memorial Hospital

Mr. Joe Ross, CEO Easton Memorial Hospital and Patti Willis, Communications gave a 15 minute power point presentation regarding the status of the relocation of the Easton Memorial Hospital.

The power point illustrated the hospital's planning goals through 2030. Their key focus has been on recruitment of physicians in primary care and specialist. They foresee growth in outpatient services. Mr. Ross said that they need to do a better job with core facilities and need to distribute services more aggressively in the future.

Mr. Ross said they want to work with the town to locate an outpatient ambulatory care center in Federalsburg. He said they need to focus more on primary care and outpatient diagnostics including lab work. Mr. Ross said the anticipated time frame for the regional medical center groundbreaking would not take place before 2012 at the earliest. They do not anticipate a final site decision for the hospital until May 2009. They are currently looking at what will happen to the existing site in the Town of Easton.

Richard Colburn stated the town is excited about the ambulatory care center in Federalsburg. He asked Mr. Ross what the town would need to do to locate such a center in Federalsburg. Mr. Ross said they would first look for a vision and sense of services and what would compliment what already

exists in the area. They would also work with the existing services to avoid duplication. They feel that representatives from the Choptank Community Health Center should be included in the discussions. They would look at what incentives the town could offer through possible block grant funding that may become available. Mr. Ross will have a representative from their planning team contact the town to begin the planning process for the ambulatory site.

Mayor Ballas stated that one of the biggest needs is for a rehabilitation center. She stated that residents currently have to travel a minimum of 20 miles to obtain these services.

Rev. David Heistand – Habitat for Humanity

Rev. David Heistand, representing Habitat for Humanity, gave the Mayor and Council an update on the progress of the Lake Creek Court Project. He detailed statistics regarding how tax revenues that will be generated by their work and the benefits of single family housing in the community and in the town.

He said there have been nine building sites developed including a new street and sidewalks. There are four homes currently under roof and enclosed; one of which will be occupied by the end of February. The last five homes will be constructed during the later part of the summer. He said the choice of families is based on need. The families are required to have a background check completed and their ability to pay is reviewed. There is a process where individuals determine who is in need and they must pledge 500 hours of sweat equity.

Rev. Heistand thanked Mayor Ballas for all the hours she has volunteered and also thanked her for the help she provides with her community service workers. Rev. Heistand stated that anyone wishing to volunteer should contact Leslie Brome, Director or Phil Clark, Site Supervisor, or himself.

Mayor Ballas said one of the ways that someone can help is through a donation to the Carpenters Club of \$35.00 on a regular basis.

PUBLIC HEARING – 6:45 p.m. – Comprehensive Plan

Mayor Ballas called the Public Hearing to order. The reason for the Public Hearing was to accept public comment regarding the draft Comprehensive Plan.

The plan has been approved by Planning and Zoning and has been reviewed by the Mayor and Council.

Happy Mayer, advised the town hired consultant Larry Duket to finalize the Water Resources Element and the Growth Element to be included into the Comprehensive Plan. The Water Resources Element and the Growth Element have been reviewed by the State of Maryland and they have recommended minor changes. Happy Mayer stated that Federalsburg could be the first municipality to complete the two elements before the October 2009 deadline.

Members of the Federalsburg Historical Society publicly noted that they would like the Mayor and Council to adopt the Eastern Shore Heritage Stories of the Chesapeake regulations as part of the Comprehensive Plan. The Council previously chose not to participate in the program, in part, because there was uncertainty about the town's responsibility for funding the program if the state funding was pulled. The program is designed to provide grant money for tourism in rural towns on Maryland's Eastern Shore.

The public hearing closed at 7:05 p.m.

OLD BUSINESS

Samuel Bullen – Request to Waive Tap Fees

At the December 1st Mayor and Council meeting, Mr. Samuel Bullen requested that the Mayor and Council waive the tap fees for two additional units that were created in his building at 405 University Avenue. The Mayor and Council tabled discussion on this matter until the information presented could be reviewed further.

Councilmember Willis questioned why this was not caught in the beginning. The original permit showed the building as one building. The dividing walls were constructed by the previous owner; however, the entire building was operated as one unit. After the building was sold, the individual units were formed just by closing doors to separate them. Councilmember Fluharty stated that the last three or four residents that requested a waiver have been declined and required to pay the tap fees.

After some discussion, the Mayor and Council decided to stand firm with their original decision that was previously made at the October Meeting; to not to waive the tap fees and that the property owner will also have to pay the quarterly fees for three units.

RESOLUTION 2009-01 – COMPREHENSIVE PLAN

A motion by Councilmember Gasser seconded by Councilmember Willis and passed by a vote of five to zero approving Resolution No. 2009-01, which approves the Comprehensive Plan as proposed with the corrections from the Planning & Zoning Commission.

MINUTES

A motion by Councilmember Willis seconded by Councilmember Gasser and passed by a vote of five to zero approving the minutes of the December regular monthly meeting.

COMMITTEE REPORTS

Federalsburg Historical Society

Mr. Joe Glime, on behalf of the Federalsburg Historical Society, thanked the town and the parade committee for allowing them to participate in the Christmas festivities after the parade. The Historical Museum hosted Santa Claus after the parade in an open house and there was a large participation of youth. Mr. Glime also thanked the Mayor and Councilmember's for their support. There were a large number of children that came to visit with Santa Claus.

The Historical Society also requested the Mayor and Council include the Stories of the Chesapeake in the Federalsburg Comprehensive Plan. This would allow their organization to receive funding for activities.

Federalsburg Volunteer Fire Department

Councilmember Fluharty reported the following upcoming activities for the Federalsburg Volunteer Fire Department:

1. Federalsburg Volunteer Fire Company will have a Breakfast on Sunday, January 25, 2009 beginning at 7 a.m.
2. Federalsburg Volunteer Fire Company will host a Toy and Train Show on January 30th and 31st, 2009.

PUBLIC CONCERNS

None

DEPARTMENTAL REPORTS

Police Department

Officer Tom Wolf presented the monthly and yearly police statistics. He said the total calls have doubled from 2007 and he didn't know if it was because of the economy. Councilmember Fluharty questioned whether or not a breakdown could be done for juvenile crimes. Officer Wolf said that this is something they are looking into now. Howard Bradley asked if the calls couldn't be tracked by apartment complex and/or rental properties, in hopes of seeing when/where the problems are occurring between the hours of 12 a.m. and 9 a.m.

Councilmember Gasser questioned why the decrease in speeding tickets. Officer Wolf stated he has logged more in for 2008 than in previous years. He said the officers are still learning the Crime Star reporting program.

Public Works Department

Mayor Ballas stated that after looking back at the minutes and the reports she finds it very disconcerting that the work that is done by the Maintenance Department under the direction of the maintenance supervisor is not reported. She stated that the Public Works/Maintenance Department has cleared the wooded area in Chambers Park, and they have moved benches and tables. She requested that the work completed by the Public Works/Maintenance Department be reported.

Bart Johnson stated that he was happy to see all the debris and brush moved from the pumping station on Liberty Road.

Codes/Inspections Department

Steve Watson, Code Enforcement Officer reported the following:

Mr. Watson is working on composing an ordinance for rental properties. He is also talking to rental property managers to get some ideas to assist him.

Main Street/Grants Department

Happy Mayer reported the following:

1. Bids have been received for installation of the bathrooms and the sprinkler system for the Federalsburg Heritage Area Museum. These

bids are currently being reviewed by Steve Dyott, Public Works Director. There are some funds remaining in Community Legacy that can be used to assist with the bathroom installation. However, the sprinkler system will probably have to wait until a later date because of limited funding. Bids will most likely be solicited for HVAC installation to get an idea of the approximate cost for the Historical Society. Six bid packages were sent out and five responses were received. Community Legacy money is available to complete the project. Two other items (sprinkler system, heat and air) were also put out to bid. This would give the historical society a cost for these items and they would be responsible for finding monies to complete these projects.

2. Mr. Mayer reported that his computer died; however, it is still under warranty and is in the process of being repaired.
3. The Police Department received a grant for an electronic ticketing system to be used from within the police cars. The town originally requested \$13,900 but received \$5,200.
4. Mr. Mayer is working with Larry Duket, Planning Consultant to finalize the Water Resources and Growth Elements for the Comprehensive Plan.

Mayor Ballas questioned how important is it that each police car have the same capabilities regarding the electronic ticketing system. She said it will cost approximately \$8,500 to equip the remaining cars. She questioned the Mayor and Council whether or not they wanted to equip all the cars by using some of the monies from the sale of the former police station. After some discussion it was determined that Chief Nagel would probably prefer the equipment be installed in the three new vehicles. Officer Wolf said the E-Ticketing equipment costs approximately \$1,200 and the remaining monies will be used for the software and brackets. With the E-Tickets officer safety is paramount. Councilmember Gasser questioned how many vehicles were shared by the officers. Officer Wolf advised that four vehicles were shared by officers.

Planning and Zoning Update

Howard Bradley gave a Planning and Zoning Update. The Commission held a workshop in December to review the plans for the Subway tree planting. They also reviewed the initial plan for a new four building commercial complex to be constructed off Bloomingdale Avenue. The next meeting will be held on January 27, 2009.

ACTION ITEMS

PUBLIC LANDING FEES

Councilmember Fluharty thanked Happy Mayer for his comments in regard to the request for the town to participate with the county in the public landing fee program. Councilmember Fluharty stated that he would have liked to have seen written comments from the other departments as well; this would have given the Mayor and Council something in written form to help make their decision. Richard Colburn, Town Manager, advised that he has talked with Steve Dyott and Chief Nagel and they are in agreement with Happy Mayer in regard to the public landing fees, they just did not have it in written form. Councilmember Fluharty stated that he would appreciate comments from the supervisors in written form on matters such as these in the future.

Mayor Ballas stated that she agreed with Mr. Mayer's synopsis which is as follows:

1. The funds that would be generated from the Boat Ramp Permit process would most likely not cover the maintenance for the marina. The Town would be in a better position to get these funds through the DNR grant process.
2. The County has projected one person to police the marina and there is uncertainty as to how that would work.
3. The Town has maintained these areas and performed numerous upgrades with the intent to draw more people to the area. Many of these people are from Delaware and they are not currently taxed for using the boat ramp.
4. There was concern as to whether or not the County Project would ever earn the amount of money that would help the Town's fund balance in any way. There was also concern that it would create an enforcement problem that would be forced onto the Town's employees to handle.

A motion by Councilmember Fluharty seconded by Councilmember Willis and passed by a vote of five to zero not to participate in public landing permit vendors program through Caroline County Department of Parks and Recreation.

CAROLINE COUNTY CHARTER

Mayor Ballas said that there was a newspaper article regarding Caroline County going to a Charter form of government. She said the only advantage she could glean from the discussion is that if the county were to go to a charter form of government they would have to have 5 to 12 members on the county council, which would force the county commissioners to go to a five member system. This will be studied by committee and there should be more information at a later date.

MUNICIPAL ASSOCIATION OF CAROLINE COUNTY & CAROLINE COUNTY COUNCIL OF GOVERNMENTS (COG)

Mayor Ballas issued flyers to the Mayor and Council that outline the meetings for the MACC and COG meetings as follows:

January	13, 2009	Tuesday	COG
March	18, 2009	Wednesday	Municipal
May	12, 2009	Tuesday	COG
July	15, 2009	Wednesday	Municipal
September	15, 2009	Tuesday	COG
November	18, 2009	Wednesday	Municipal

C-SAFE BASKETBALL TOURNAMENT

Federalsburg C-Safe is joining with other agencies for a Basketball Tournament on Martin Luther King Day at the YMCA in Easton, Maryland. They will take teams from Federalsburg, Cambridge, Saint Michaels and Easton. They will be working with Cory Pack, with Talbot County Council, and local police agencies, Federalsburg Police Department and CYC.

RICHARD COLBURN – Landmark Insurance

Landmark Insurance & Financial Group has requested to be the Town's broker for Injured Worker's Insurance. There would be no additional cost to the Town for their services, and Landmark would review the town's claims history with IWIF and in an effort to save the town money. A contract would not be signed and the town could cancel at any time. Mayor and Council agreed to move forward with this project.

CHARTER AMENDMENTS AND NEW ATTORNEY

Mayor Ballas stated the town has hired a new legal firm, Cowdrey Thompson. The attorney's that the Town will work closely with are David Thompson and Brynja Booth.

The Mayor and Council have requested the firm draft legislation to revise the town's municipal charter by making three amendments as follows:

1. Draft an amendment to change the election date of the Mayor and Council from the fourth Monday in April to the Fourth Tuesday in September commencing with the election to occur in 2011. This would allow new members of Mayor and Council to have more time to get acquainted with the workings of the municipal budget instead of just coming in at the end, when the elections are held in April.
2. Draft an amendment to the charter establishing a recall process for elected officials. Currently this process is not in the municipal charter.
3. Draft an amendment to the charter establishing a referendum process. Currently this process is not in the existing charter.

The amendments will be drafted and presented for passage at the February 2, 2009 Regular Monthly Meeting.

JIM WATERS, RDA RETIREMENT

Jim Waters will retire from USDA Rural Development after 35 years. Mr. Waters has assisted the town with funding for several Federalsburg Projects. USDA will host an open house in his honor on Friday, January 9, 2009 from 12 Noon to 3:00 p.m. in Dover, Delaware in their state office. Those planning to attend include: Mayor Ballas, Richard Colburn, Happy Mayer and JOK Walsh.

Adjournment

A motion by Councilmember Gasser seconded by Councilmember Willis and passed by a vote of five to zero to adjourn at 8:30 p.m.

Submitted by,

Shirley A. Greene
Clerk