



THURMONT TOWN MEETING
AUGUST 28, 2018 AT 7:00 P.M.
THURMONT MUNICIPAL OFFICE
MEETING ROOM

AGENDA TOPICS

1. PLEDGE OF ALLEGIANCE
2. APPROVAL OF 8/14/18 TOWN MEETING MINUTES
3. MURAL PROJECT UPDATE - YEMI
4. DISCUSSION ITEM – TROLLEY TRAIL EXTENSION
5. DISCUSSION ITEM – THURMONT BOULEVARD
6. DISCUSSION ITEM – FREDERICK COUNTY BILL #18-21: ADJUSTMENT OF SCHOOL CONSTRUCTION FEES
7. COMMISSIONERS' COMMENTS
 - a. Commissioner Buehrer
 - b. Commissioner Hooper
 - c. Commissioner Hamrick
 - d. Commissioner Burns
 - e. Mayor Kinnaird
 - f. Jim Humerick
8. PUBLIC COMMENTS

UPCOMING MEETINGS/EVENTS:

- 8/31/18 – NATIONAL OVERDOSE AWARENESS DAY – 7 – 8:30 PM MECHANICSTOWN SQUARE PARK
- 9/3/18 – TOWN OFFICES CLOSED – LABOR DAY
- 9/4/18 – COLORFEST PERMITS GO ON SALE
- 9/7/18 – THURMONT /EMMITSBURG COMMUNITY SHOW – CHS
- 9/8/18 – MAIN STREET MATINEE – “CHAPPAQUIDDICK” – 2PM – MAIN STREET CENTER
- 9/8/18 – YARD WASTE DROP OFF – 8AM – NOON – BEHIND LIBRARY
- 9/12/18 – GREEN TEAM MEETING – 6:30PM – TOWN OFFICE
- 9/13/18 – TAC MEETING – 7PM – TOWN OFFICE
- 9/15/18 – GATEWAY TO THE CURE 5K WALK/RUN – EYLER PARK – 8:30AM
- 9/15/18 – PAINT THE TOWN – COVERED BRIDGES (9AM – 1:30PM) – JUDGING (2PM – MAIN STREET CENTER)
- 9/21/18 – TOWN OFFICES CLOSE AT NOON (FAIR DAY)
- 9/22/18 – MAIN STREET MATINEE – “SOME LIKE IT HOT” – 2PM – MAIN STREET CENTER
- 9/27/18 – PLANNING & ZONING COMMISSION MEETING – 7PM – TOWN OFFICE
- 9/29/18 – OPEN MIC NIGHT – 8PM- 136 REDHAVEN COURT

Minutes from the August 28, 2018 Town Meeting

A Town Meeting of the Thurmont Board of Commissioners was held Tuesday, August 28, 2018 at 7:00 p.m. The following were present: Mayor Kinnaird; Commissioner Buehrer, Hooper, Hamrick, and Burns; CAO, Jim Humerick; Sr. Administrative Assistant, Becky Long; Samantha Hogan (FNP), Yemi, Dick Lee, Jay Churchill, and James Wilkins.

Commissioner Buehrer led the Pledge of Allegiance.

Approval of 8/14/18 Town Meeting Minutes

Motion – Commissioner Hamrick said “I make the motion to approve the 8/14 Town Meeting Minutes as they were presented to us.” Commissioner Buehrer second. Vote – 5-0-0, motion carried.

Mural Project Update – Yemi

Yemi expressed his love of Thurmont and presented a slideshow of the progress of the mural project. He will collaborate with students from Catoctin High School for the last part of this. “I’m sorry that I was negligent I didn’t say the last time that the fiscal agent for this project is actually the Frederick Arts Council. The reason I did it that way is so that everyone who makes a donation actually gets a tax deduction. So if anybody wants to donate to the project from Thurmont they can just write a check and send it to the Frederick Arts Council and then put in the notes section that it’s the Thurmont project... My plan is to unveil this next spring, because the artwork is going to be done in the next 2 or 3 months, it’s going to be done. So we’ll do the unveiling next spring and in the meantime I’ll be working with Vickie who has been a goldmine, Vickie Grinder. She is a phenomenal person, I couldn’t have done this without her. From the very beginning she’s really helped me out a lot, a great deal as you have too...” He explained that some of the panels are metal plates that have been painted and some of the artwork is stenciled on and then painted directly on the building. By doing it this way it will have different textures and each panel will have an explanation of what it is, the history of Thurmont.

Commissioner Hamrick said “I do like the storyboard concept of this, because that’s basically what it is it’s a storyboard. And I love how you’ve encapsulated from FDR to the current to show that connection, because you know we are really blessed to be the only town in America that can claim to be a presidential town.”

Commissioner Hooper asked how long the paint would last because the building is repainted from time to time. Yemi said he would give them the stencils, but he will research how long the paint will last and there are ways to paint around the stenciled pictures. “I don’t really see a big problem and if worst came to the worst the artwork is done already and you can just go in and reapply the stencil, because really the thing that took the longest time was the artwork itself. To do the stencil on is just a matter of getting a machine to cut this design. And then I peel the design off and stick it on the wall... and then I just have to retouch things that bleed off, that’s all.”

Mayor Kinnaird said “I drive down Main Street regularly and daily I see people standing there looking at the artwork that’s there right now. It’s certainly an attraction and you should be commended for the benefit and the enhancement of our Main Street.”

Discussion Item – Trolley Trail Extension

Mayor Kinnaird said “we’ve talked about this several times and we have actually reached out, we’re reaching out currently to the property owner to see about purchasing a sliver of property along the outer edge of our Wastewater Treatment Plant to divert the Trolley Trail outside of our property so it can bypass that location and head on down to Catoctin Furnace. And at the same time we’re also... Bryant Despeaux is working, he has an organization where they’re working on plans to extend it from the current end out to at least Eyler Road Park, which would be a very nice addition. And they’ve already identified possible pathways out there. So that’ll be something that hopefully we’ll be extending in both direction which will be a benefit not only to our community but to all the guests we have up here. I know if you go out on a Saturday or Sunday I see if not hundreds, multiple dozens of bicyclists every weekend and they come up here, they love the countryside. They love the atmosphere we have up here and I know they’ll enjoy driving or riding the Trolley Trail into Catoctin Furnace when that gets finished. And if they can cross the footbridge there they can go up in the parks and up in Catoctin Hollow Road and go onto the federal park and ride around up there. The federal park has a nice bike area up there designated.”

Commissioner Burns asked when they expected to hear something back. The Mayor responded “we just put that request out, so hopefully we’ll get some kind of response soon. And the thing is if that doesn’t pan out we do have other options that we can explore... If this works it’ll be great, if not we have other options to look at.” Commissioner Hooper asked if they knew the worth of the property and the Mayor said they would have to look at that once they got a response from the property owner. “There’s a lot of people talking about it. I got a phone call from Frederick County Planning and Zoning and they’re very interested in it. So my hope is that once we get this started we can convince them to get onboard. I mean this projects been on the books for many, many years, but now they’ve moved it up to a priority list and I think if we get off on the right foot and get it started we can encourage them to join us and make this happen.”

Commissioner Hamrick said “I think it would be wonderful, because it would not just benefit us, but it would also benefit the Catoctin Furnace and their Historical Society. It would be a win win...”

Commissioner Burns asked “would Community Parks and Playgrounds or Open Space be a viable... would a trolley trail be? The Mayor responded “yes that would be part of Open Space and that’s why we have some Open Space funds that we’re going to commit to that if we’re able to purchase it. And there’s other areas down there that, I don’t want to say undevelopable, but it’s undevelopable and it would make a nice nature trail down through there. So you know there may be a possibility we could incorporate more into it than just a bike path down there.”

Commissioner Buehrer asked “John could we, I’m not saying hire an artist or anybody, but if would could have some penciled conceptual that we can show here or out in the lobby so we can get our town onboard, the people...” The Mayor replied “sure, we could do that without any problem... The nice thing about the Trolley Trail between Thurmont and Catoctin Furnace is it’s easily identifiable on Google Maps. So when you look at that you can see where it stops, you can follow it all the way right down, right down to the Catoctin Furnace... It’s an easily identifiable route, as a matter of fact some of it is actually on blacktopped road, so there are sections of it we won’t have a lot to do with, I guess we’ll just have to designate a walking lane or bicycling lane along one side of the road. But it is and we’ll come up

with some artwork for that and make that available to everybody so they see what it looks like and an idea of where it goes. But the major thing to me is once we get this, if we acquire that property and develop that the rest of it's up to somebody else..." "I just want to thank everyone for being onboard with that. I think it's a great project not only for the Town, but it's good to bring tourism in and we know that anyone that... these weekend bicyclists, they all have expendable income and I'd like for them to expend some of it in our community."

Discussion Item – Thurmont Boulevard

Mayor Kinnaird said "Thurmont Boulevard exists in two very small pieces. It exists as the entrance way to, people assume it's the entrance way to Weis Market, but it's actually Thurmont Blvd. So it goes from the traffic light down to Weis and at the opposite end of it it is the stub road that leads into the side entrance to the Thurmont Regional Library and to the Potomac Edison property down there. Now that was put in... 20 years ago those stubs were put in and I think it's time that we connect those two stubs and take advantage of the ability to take some strain off of some of our roadways, specifically Moser Road and Frederick Road. Frederick Road is getting to the point where we're going to need to do some work on it soon and I think we can divert heavy traffic like dump trucks, tractor-trailers, black top trucks, all the State Highway trucks, Potomac Edison trucks. Have them go up Thurmont Blvd., it's shorter, safer, it'll take the strain off of Moser and it'll certainly help out with the Moser Road and Frederick Road intersection. Now there's been improvements made to that this last year, they're wonderful improvements, but I think if we can cut out the vast majority of the trucks that are going up there it'll be even better. And it gives our residents an easier way to get out if they're coming up they don't have to go all the way up to Frederick and cut down, because you know a lot of residents get up in the morning and get in their car and go to work in DC, Frederick... nice straight shot right out to Rt. 15. So there's a few steps and you gentlemen have a... I handed out a page on that I believe" (see attached).

Mr. Humerick said "after last week's discussion I spoke with our environmental engineering firm, Triad Engineering Tim Kellerman who I work with all the time has done all of our engineering for all of our projects here in town. And they're also the company that did the feasibility study for us last year that shows the alignment, did a very preliminary wetland delineation and looked at the area. Got all the information that they needed to do the feasibility study from the Maryland Department of the Environment, US Army Corp of Engineers, all the regulatory agencies. So, in speaking with Mr. Kellerman he suggested that we take this one step at a time that way we would not have to repeat any of the steps. If we do something before we know we can move to the second step we might have to go back and repeat the step before that again. So as you can see on his recommendations here his first recommendation is to complete a Phase I Archeological Study and the Maryland Historic Trust concurrence. We did get information and a response back from the Maryland Historic Trust last year basically saying that they don't know of any historic structures or any historic items that happened in that corridor, but they would like to see an archeological Phase I, very preliminary, study done just to make sure there's nothing there before we do any type of construction. And the Maryland Historic Trust is a regulatory agency that we have to meet their requirements before we get the permits needed. So this is something that we really can't say no thank you, we need to do this. So as I said Mr. Kellerman thinks that we should probably do this first before we spend any more money in doing alignments studies or things like that."

"The next step would be a US Forest and Wildlife Service Project Review Request. This can be done concurrently with the Cultural Resource Study from an archeological study. And that's just to determine if there's any endangered species in that corridor, to make sure there's nothing in there that we need to be aware of when we're doing the construction. After that we're into the Wetland Delineation Study and then the Regulatory Concurrence, and that's when we talk to all the regulatory agencies about our proposed alignment, the wetlands if there are any wetlands in that area, and our next steps to construction, actually engineering, design, and then construction, would be. So with that in mind I have spoken with the Mayor and I've got two requests out with archeological firms that we've worked with in the past for some pricing for this Phase I Study. I'm expecting them back sometime soon, once we get those back we'll bring those to you gentlemen to take a look at and we will hopefully move forward with the first step."

Mayor Kinnaird said "we're gonna have a couple of steps in here that we're gonna have to invest some funds into and looking at some point down the road seriously at funding sources. We do have funding sources available that we can fold these costs into over the long run. Some bond issues that we can use that we can recover these costs pretty quickly on. But I'd like to go ahead and get this started and get the archeological study and that stuff behind us, because that's the kind of things that can be a road block. So again like Jim said you don't want to go past any of these steps and then find out that one of these is going to be a problem. So these are the first issues that we should address and I think we should go ahead and move with them right now and see where we can go with it."

Commissioner Burns said "I think we ought to have a discussion about the feasibility of the project in general. I mean if right now three of us said no way, I don't support that, then it's not even worth going any further. So I don't disagree that we need to do some sort of preliminary, I just need to know in the general sense, how much are we talking about that we think the study would cost us to do? I mean if it's like a couple thousand dollars... you know I don't like spending money if I don't have to, but sometimes you've got to spend something to find out whether it's worth doing. And the second thing is about the overall cost, we should be able to project with today's dollars how much we think that roadway would cost... I mean I'm sitting here thinking if that's all we're doing, is diverting traffic, that could be a very expensive project and I sit there and think would I want to spend that kind of money on that or something else. Very worthy project, maybe it's a perfect thing to do, but those are just the things I'm thinking of right now, so I don't want to go and find out it's \$100,000 dollars." Mayor Kinnaird said "point well taken and I think once we get these requests for... then we can make the decision before we're there." Commissioner Buehrer agreed with Commissioner Burns, "but I think it's money well spent if it's within reason."

Mr. Humerick asked "are you looking for me to bring back the proposal for the Phase I survey or for the entire project? What do you want me to bring to you?" After some discussion over this and how they may cover the cost it was decided Mr. Humerick would get a cost estimate of what these four steps would be and he added "really after the Archeological Study everything else is more of a review, so our cost there would be paying our environmental engineers to coordinate all of the paper that goes along with those. So it wouldn't be a payment to the regulatory agency, it would be a payment to our engineers."

Discussion Item – Frederick County Bill #18-21: Adjustment of School Construction Fees

Mayor Kinnaird said “we got a letter from the Council and they are going to be setting school construction fees for the APFO and there were some questions we had and Jim asked some questions and I passed them along today and I got to talk to Janice Spiegel about these particular questions (see attached). And I was quite surprised to find out that basically this is not going to have any impact on the Town of Thurmont and generally the entire county. So these fees are only going to be applied to subdivisions that were approved between July 2011 and July 2016 when there were three choices for developers. The first choice is you could wait until the schools has built the required classrooms, the second choice was you could fund the classrooms and increase the school capacity, the third choice was pay a fee in lieu of either of those two. So evidently what they’re doing now is they’re deciding what the fee is. So since no subdivisions were planned in this area that had anything to do with that five year period these options do not impact to any extent whatsoever... The schools that are at 100% capacity during the construction of the project are the ones that they will be applying these fees to. So evidently they’ve said they’re going to pay fees, now they’re going to argue about what those fees are and some of the fees are pretty draconian.” There was discussion of what the County could do in the future to reduce the impact on developers and how things were in the past.

The Mayor said “is the answer then to the question that got us started on this path, if we do have comments I think I would like you guys to write down your comments and we’ll pass them along to the Council so that they can be read into the record. If at all possible we could have someone go there that night, that’s on a Tuesday evening unfortunately, it’s on September 25th is the date of the public hearing. But I think we could probably pass our comments along to our Council Representative and have our comments read into the record.”

Commissioner Comments

Commissioner Buehrer:

- I passed the two new welcoming signs to the #1 Municipality in Frederick County today. They’re beautiful.
- Attended a seminar where a gentleman that was in prison with Sen. McCain in Vietnam for 5 ½ years. These two gentlemen were the only two to figure out how to communicate without the Vietcong every figuring out what they were doing. The gentleman demonstrated and ended tapping out the message from John McCain, “God bless America”.

Commissioner Hooper:

- We have the “Gateway to the Cure” coming thru the whole month of October to raise funds for the Patty Hurwitz Cancer Center Research. The first thing we’re doing this year, we’re starting early with the “Gateway to the Cure” 5K Run/Walk to be held September 15th at Eyler Road Park starting at 8:30. You can go online and sign up at runsignup.com or you can take the link from the Town website or Facebook to register or you can sign up here at the Town Office. The cost will be \$35 for pre-registration and all registrants will receive an events t-shirt. Also on September 15th Hobbs’ and Ace Hardware will have the pink light bulbs available. We’ll be selling candles, totes, pinwheels, and this year we have a pink water bottle with the “Gateway to the Cure” logo on it. There will also be a Paint Afternoon in Main Street on September 29th to

paint on a wine bottle that will come complete with battery operated lights for inside the bottle. It's \$10 per participant and that money will be donated to "Gateway to the Cure". So with all of those things going on prior to October we will have our 5th annual kick-off at the September 25th Town Meeting. Mayor Kinnaird added that he has once again challenged all of the other municipalities to get involved, but doesn't think any will. "We have made time for this and I'm very proud of our community for taking this challenge and for keeping the challenge going every year."

- We had a Special Activities Committee meeting last night and the discussion was the upcoming Halloween in the Park. That will be held October 27th with a rain date of November 3rd. We're going to be having a few new things this year, changing up on some of what we do have, so hopefully it'll be a good fundraiser again for the Food Bank. It's going to be \$3 per person plus a canned food item. Anybody who would like to help out with Halloween in the Park please let the Town Office know and they'll contact me.

Commissioner Hamrick:

- The Main Street Farmers Market continues thru September 22nd when it ends. Each Saturday morning from 9 a.m. – noon down at the Municipal Parking Lot.
- Main Street Matinees are coming up September 8th with the newly released "Chappaquiddick" and following on September 22nd "Some Like it Hot". And they are held every second and fourth Saturday at 2 p.m. at the Main Street Center on Water Street.
- The 2nd Annual Plein Air... calling all artists to paint outdoors at the Roddy Road or Loy's Station Bridge on September 15th starting at 9 a.m., artists will begin painting at 9 a.m. and will have to be back at the Main Street Center by 1:30 p.m. for a 2 p.m. judging. Contact Vickie Grinder if you're interested in applying to be a participant. There is a \$20 entry fee. The public are invited to come out and watch the artists.
- On September 12th look in your Frederick News Post for our "Gateway" publication.
- Friday, November 9th is our Fall Art and Wine Stroll which will be held downtown, more detail will be forthcoming.

Commissioner Burns:

- Friday, August 31, 2018 the Thurmont Addiction Commission is going to recognize National Overdose Awareness Day, it is National Overdose Awareness Day. And they're asking and I am asking everyone to come and join for a time of reflection at Mechanicstown Square Park at the Town Square from 7 – 8:30 p.m. Parking is available and coordinated with the Creeger House and the Municipal Parking Lot behind PNC Bank. If you would like to decorate a luminaire for a special person you know contact Karen and Ed Schildt for a luminaire bag at klschildt@gmail.com or call 240-285-8074 or 240-285-8079. All bags need to be returned by August 30th so that they can present them and have them ready at the Town Square. In the event of inclement weather it will be at the Guardian Hose Co. building.

Commissioner Burns asked the Mayor about MML last week. Mayor Kinnaird said "basically the Executive spoke about the Tax Equity Program where Frederick County returns a percentage of several things, Police, Planning, and Parks monies to communities that provide those services themselves, so I think we do very well. I think we get 700 - 800 thousand dollars each year from Frederick County to help

fund our Police, Parks, and Planning and sadly a lot of counties don't. Montgomery County doesn't do that and there are other counties that have low funding sources for it. As a matter of fact Mt. Airy's Bob King spoke up and said that Mt. Airy is 75% in Carroll County and 25% in Frederick County but yet Frederick County give more in tax equity then Carroll County does, so it's the smaller part of the community that gets a bigger portion from Frederick County. The question was brought up once again, a discussion, do we want to talk about the formula. You know the formula's been set for who knows how long, but it's one of those magic formulas that someone knows what it is and it works out every year. Of course Frederick City wants to add stuff to the formula, which sounds interesting but the whole problem is there's this much money and if you put more things in the formula whatever that is comes from somewhere else. One of the things they talked about, which absolutely floored me, was helping with Frederick Airport. So there's some discussion about that and some other things that they want to talk about, but I'm not sure exactly what their list of additional items are. It'll be really interesting to see it, but I will tell you the majority of the municipalities that were there expressed to the Executive that we're very happy with the formula as it is and we're not interested in messing around with it because it's going to upset the share that we all get out of it." Commissioner Burns noted that Frederick City wants to change it so they get a bigger piece of the pie. There was a little discussion over this and the Mayor said "I spoke up and I said that I didn't think we were interested in addressing any changes to it. I think we're doing very good on it and I'll keep that answer if that's alright with you gentlemen." They all agreed.

Jim Humerick:

- We did complete the two Gateway Sign projects today.
- We have started working on the replacement curb and gutter project on Moser Road in front of the library. That's replacing the asphalt curb that was down there and that project will probably be finished in about 3 days.
- Tomorrow our F-4 Circuit, the Phase II component of that project bids are due. So we'll be reviewing those bids and be bringing those to you gentlemen in the next few weeks to get that project going.
- As I mentioned last week we have an asphalt project that will be due next week I'll be bringing to you as well as all of the Colorfest services, those bids are due next week as well.

Commissioner Burns asked to speak "I kind of like Commissioner Buehrer, you know nobody out there agrees with everything that I say, do, how I present myself, as an elected official. When John McCain died I got sick and tired of hearing the radio today and I got sick and tired of hearing the TV today about all the, believe it or not, negative things about John McCain. Hey he wasn't perfect, I didn't agree with a lot of things he did, but he served our country and he survived. When he was able to be freed as a prisoner of war he refused, and his dad was an admiral and his grandfather was an admiral, because he knew that men were there before him and he wasn't going to go just because his dad and grandfather were admirals. So he's a human being who has a family for gosh sakes, so I hope that in my demise they say "man that guy had a temper, boy he could be a jerk", could be one but I'm not one and so was John McCain. But my point is, can't we be a little more, we need to be more civil. He said it best, I don't know if you saw this clip... it was amazing, there was a lady at one of his campaigns and she said "that Obama he's a foreigner I can't trust him, I can't trust him" and he took the mic back from her and said "no, no ma'am, no ma'am, no. He is a fine father, a good citizen, he's a senator of the United States, no,

no, not here. And he got crucified by some people in his party. The people that we're talking about said "bravo". We all need to get, independents, democrats, republicans... you name it, everybody needs to be a little more civil. So hats off to the service that he provided to this country, his military service, and rest in peace and I pray for his family that they find peace and comfort in what he did."

Mayor Kinnaird:

- George Anzelone passed away, he was very active in our Seniors Center and very active in a lot of events in the Town of Thurmont and George will be missed.
- Sunday afternoon we had the Gateway Brass Ensemble play... I think they did an amazing job. We had at least 80 people there, so we had a good turnout and we had people that I had never seen there before. Quite a few people that I recognized hadn't been to any of the concerts had come out to see our local, Our Local brass ensemble band... I can't thank Morris and the members of the band enough, they played an excellent concert. And they're gonna be playing a Christmas concert... sometime about the middle of December and I would encourage you to come out to the concert and enjoy a great local band."
- The Thurmont and Emmitsburg Community Show is coming up on September 7th, 8th, and 9th. On Friday night is the opening ceremony and this year they are honoring Catoclin High School. It will be the 50th anniversary of the opening of Catoclin High School.
- We are going to have a 2nd Community Shred Event this year and that's going to be Saturday, October 27th at the Thurmont Police Station from 8 a.m. – noon. We ask that if you bring a box to shred bring along a non-perishable food item for the Thurmont Food Bank. There is a limit of 5 boxes to be shredded, but there is no limit to the donations you can bring along for the Food Bank. A list of acceptable and non-acceptable items will be made available. The Woodsboro Bank partners with us and splits the cost of the event.
- The Thurmont Lions Club pit beef is this Saturday, September 1st and it is the last of their sandwich sales events out at Bell Hill Farm on Rt. 15 north of Thurmont. They generally start at 10 a.m. and are usually out by 1:30 p.m. An amazing bunch of volunteers the Thurmont Lions Club and every penny that the Lions Club realizes in their events stays in our community...
- September 3rd, Labor Day, the Town Office will be closed.
- September 4th Colorfest Permits go on sale.
- September 8th is Yard Waste Drop-Off from 8 a.m. – noon. And that's behind the Regional Library on Moser Road.
- Again I challenge our Commissioners again on the 15th to Paint the Town. We're going to paint on or the other or both of the covered bridges. It's a great event to raise money for a very good cause and I think we'll have a good time doing it.

Public Comments

Dick Lee, 13 Jermae, just a footnote on John's comment about the concert. I helped Wayne a little bit that night. Normally when the bands comes up most of the crowd or half the crowd is from the band that accompanies them. On Sunday night we had 7 band members and maybe 2 people for each one of them and everybody else in that crowd was local people and it was one super show for those people that were playing music that everybody from Thurmont showed up to watch. So, I just wanted to make sure to shout out to everybody that came up to watch them, because I know like John said it was greatly appreciated by the band.

Mayor Kinnaird said "I'm remiss in not thanking Dick because Dick was there the entire time, he helped everything get set up, he helped with the tear down and we appreciate your volunteering. We also appreciate Commissioner Hooper was there and I also want to thank the Town Employees. We always have Town Employees that come out and set up chairs, set up the sound speakers and come back and retrieve it all and put it all away so we don't have to touch any of that getting it out or putting it away, so we have a great Staff that comes out and helps us with that.

Motion – Mayor Kinnaird said "I'll entertain a motion to adjourn." Commissioner Buehrer said "so moved." Commissioner Hamrick second. Vote – 5-0-0, motion carried.

Without further discussion the meeting adjourned at 8:30 p.m.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Robin Clem", with a stylized, flowing script.

Robin Clem
Recording Secretary

**TOWN MEETING
TUESDAY, AUGUST 28, 2018**

PLEASE SIGN IN

	NAME	ADDRESS
1	DICK LEE	13 JEROME ST
2	Jay Churchill	3 Fremont Dr.
3	LAMAR WILSON	44 Inow Court
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Jim Humerick

From: Tim Kellerman <tkellerman@triadeng.com>
Sent: Monday, August 27, 2018 3:14 PM
To: Jim Humerick
Subject: RE: Thurmont Boulevard

Hi Jim,

Pursuant to our phone conversation, we would recommend conducting the Phase I Archeological Survey and submitting a project review request to the USFWS to identify any potential costly hurdles and/or road blocks relating to Section 106 of the NHPA and Section 7 of the Endangered Species Act, respectively. We would then recommend an actual wetland delineation study and regulatory concurrence. Once the outcome of these evaluations is known, you could then commence with a detailed boundary and topographic survey, design, and permitting with reasonable assurances of the project requirements and costs. Some estimated timelines are as follows.

1. Phase I Archeological Study and MHT concurrence – To be determined by Cultural Resource Management Firm
 2. USFWS Project Review Request – 45-60 days.
 3. Wetland Delineation Study – 45 days
 4. Regulatory Concurrence of Wetland Delineation Study - 45-90 days (varies widely)
- } CAN BE CONCURRENT

Thanks
Tim

Timothy J. Kellerman
Senior Environmental Scientist/Triad Engineering, Inc.
301-797-6400

From: Jim Humerick <JHumerick@thurmontstaff.com>
Sent: Friday, August 24, 2018 10:45 AM
To: Tim Kellerman <tkellerman@triadeng.com>
Subject: Thurmont Boulevard

Hi Tim

I hope all is well and you're enjoying the summer. We are getting closer to moving forward on the planning and design elements of the Thurmont Boulevard project. I'd like to talk with you about the project whenever you have some time. If you're going to be up this way, that will be great. If not, a phone conversation will work just as well. Please give me some times that you have available to talk. Thanks!!

Jim

Jim Humerick
Chief Administrative Officer
Town of Thurmont
615 East Main Street
PO Box 17
Thurmont, MD. 21788
(301)-271-7313, ext. 204
jhumerick@thurmontstaff.com

Jim Humerick

From: John Kinnaird
Sent: Tuesday, August 28, 2018 2:55 PM
To: Jim Humerick
Subject: County APFO School Fee Proposal

I sent the following questions to Roger Wilson and he called back with Janice Spiegel to talk about them with me.

- What is the definition of a school "failure"?
- If there is no failure, are the fees still implemented?
- What is the rationale for townhouses being so much higher in costs?

Janice tells me that the fees outlined in Bud's bill only apply to a defined time period and a small set of subdivisions in the county. These are ones that failed the APFO test and decided to pay a fee in lieu of funding construction. This option was available only from July 2011 to July 2016 when the provision ended.

Developers had three options, wait until class rooms where built, fund classroom construction or pay a mitigation fee in lieu of the other options. Schools that would reach 100% capacity before a subdivision was completed would be considered a failure and the fees Bud proposes would be applied.

Since we have no subdivisions approved under the rules that allowed of the fee in lieu of, Thurmont is not impacted by the proposed legislation. She said there are no more than a hand full of developments that will be impacted by this legislation.

John

Thank you,

John A. Kinnaird, Mayor
Town of Thurmont
jkinnaird@thurmont.com
301-606-9458

Be sure to visit:
www.thurmont.com
www.thurmontfirst.com

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Jim Humerick

From: Jim Humerick
Sent: Monday, August 27, 2018 12:18 PM
To: 'RCherney@FrederickCountyMD.gov'
Cc: John Kinnaird
Subject: APFO School Construction Fees

Tracking:	Recipient	Delivery	Read
	'RCherney@FrederickCountyMD.gov'		
	John Kinnaird	Delivered: 8/27/2018 12:18 PM	Read: 8/28/2018 8:13 AM

Good Afternoon Ragen

I'm following up for our elected officials on this topic. As you are aware, schools in Thurmont are under-capacity and we are using that as a marketing tool to attract development. This proposal could undermine that effort. Here's a few questions we'd like to get some clarification on :

- What is the definition of a school "failure"?
- If there is no failure, are the fees still implemented?
- What is the rationale for townhouses being so much higher in costs?

We are discussing this at the weekly town meeting tomorrow evening so any clarification before then will be greatly appreciated. Thanks.

Jim

Jim Humerick
Chief Administrative Officer
Town of Thurmont
615 East Main Street
PO Box 17
Thurmont, MD. 21788
(301)-271-7313, ext. 204
jhumerick@thurmontstaff.com



From: M Burns
Sent: Saturday, August 25, 2018 8:54 PM
To: John Kinnaird
Cc: Wes Hamrick; whooper; Bill Buehrer; Jim Humerick
Subject: Re: Municipalities Review of Frederick County Council Bill #18-21, Adequate Public Facilities – Adjustment of School Construction Fees
Attachments: Bill No. 18-21 - Adequate Public Facilities - Adjustment of School Construction Fees - BO.pdf

I'd like to talk about this at the town meeting. I think these fees only affect us "if" there is a "failure" at any of the schools and don't affect us if there isn't a failure.

I'm also surprised that the fees for townhouses is more than single family homes. You would think logically that a larger home could have more kids impacting our schools. It seems more logical and equitable to have the same fee regardless of the type of home.

This is certainly terrible for the so-called "affordable housing". And those people who don't have kids, would be forced to pay for schools when they aren't impacting them.

2% increase not to exceed 6%. until 2026??? If I understand this if the cost index goes up 4% every year, the county will add 2% to equal 6%. If that happens every year that would be a 48% increase in the school construction fee....OUCH

I think the fee could be changed to charge a titling fee/transfer fee instead of it only being new construction. Example, I sold my home, the new owner could have come from outside the county and had 3 kids that would impact our schools. Although they impact our schools they don't pay a dime. If it involves a titling fee then ALL land transfers would pay a fee, and it would be less because there is more land transfers than new construction.

I don't like either, option. It's worthy of a discussion

Marty

On Aug 23, 2018, at 12:44 PM, John Kinnaird <jkinnaird@thurmont.com> wrote:

Please see the attached document and email regarding the Sept. 25, 2018 County Council hearing on the proposed changes to the County APFO regarding Adjustment of School Construction Fees. If you have any comments you can pass them along to me and I will send them as a group. If you prefer we can add this as an agenda item to discuss in public to determine if we want to respond as the BOC.

These fees will have an impact on any new houses built in Thurmont and in all future school construction in our feeder system.

John

Thank you,
John A. Kinnaird, Mayor
Town of Thurmont

VII. APFO SCHOOL CONSTRUCTION FEES

School construction fees due to the county shall be determined by using the chart below. The school construction fees shall be calculated by multiplying the appropriate school construction fee component(s) (based on the proposed development's failure to meet public school adequacy at the elementary, middle or high school level) by the number of residential units of each type.

The school construction fees shall be increased once annually, on January 1, 2019 through and including January 1, 2026, without further action of the County Council. The annual fee increases shall be based on the following formula: the change in the State of Maryland School Construction Cost Index from the prior year to the current year, expressed as a percentage, plus two percent (2%). The result will be multiplied by the then-current school construction fees, provided that the fee increases in any single year shall not exceed six percent (6%).

Housing Unit Type	Failure at Elementary School Level	Failure at Middle School Level	Failure at High School Level
Single Family Detached	\$3,977	\$1,752	\$3,721
Townhouse/Duplex	\$4,981	\$1,533	\$2,894
Other Residential	\$2,182	\$594	\$1,148

Underlining indicates matter added to existing law.

[Single boldface brackets] indicates matter deleted from existing law.

*** - indicates existing law unaffected by bill.

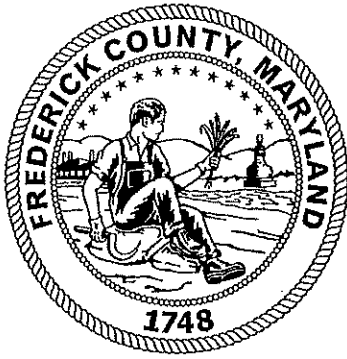
Bill No. 18-21

Bill No. 18-21

The County Council of Frederick County, Maryland, finds it necessary and appropriate to provide for an Annual Adjustment to the School Construction Fees as authorized by Section 1- 20- 62(G) of the Frederick County Code (School Construction Fee Option), including: (1) an annual adjustment of School Construction Fees by a percentage based on the most recent data from the State of Maryland School Construction Cost Index; (2) adding an annual increase of two percent (2%) of the then-current School Construction Fees as a method to recapture fee increases that were not adopted for prior fiscal years; (3) setting a maximum annual increase of six percent (6%); and (4) annually amending the Division of Planning and Permitting Fee Schedule on January 1, 2019 through and including January 1, 2026 to reflect the adjusted School Construction Fees.

NOW, THEREFORE, BE IT ENACTED BY THE COUNTY COUNCIL OF FREDERICK COUNTY, MARYLAND, that the Frederick County Division of Planning and Permitting Fee Schedule is hereby, amended as shown on the attached Exhibit 1.

Harold F. (Bud) Otis, President
County Council of Frederick County,
Maryland



Bill No. 18-21
Concerning: Adequate Public Facilities - Adjustment
of School Construction Fees

Introduced: August 21, 2018
Revised: _____ Draft No. _____
Enacted: _____
Effective: _____
Expires: November 19, 2018
Frederick County Code, Chapter N/A
Section(s) N/A

COUNTY COUNCIL FOR FREDERICK COUNTY, MARYLAND

By: Council President Bud Otis

AN ACT to: Adjust School Construction Fees as authorized by §1-20-62(G) of the Frederick County Code.

Executive: _____ Date Received: _____

Approved: _____ Date: _____

Vetoed: _____ Date: _____

By amending:

Frederick County Code, Chapter, N/A Section(s) N/A

Other: Department of Planning and Permitting Fee Schedule

Boldface

Underlining

[Single boldface brackets]

Double underlining

[[Double boldface brackets]] and ~~strikethrough~~

Heading or defined term.

Added to existing law.

Deleted from existing law.

Existing law unaffected by bill.

Added by Amendment.

Deleted by Amendment.