

**TOWN OF SUDLERSVILLE**  
**Commission Meeting Minutes**  
**September 7, 2016**

**Present:** President William Faust  
Commissioner Ronald Ford  
Commissioner Connie Engrem  
Commissioner Greg Clark  
Commissioner Kevin Kerr

**Town Manager:** Jo Manning

**President Faust called the meeting to order at 6:30 PM followed by the Pledge of Allegiance.**

**Minutes of the August 3, 2016 meeting:** The minutes of the August 3, 2016 meeting were reviewed. A motion to accept the minutes was made by Ford; a second was made by Engrem; a vote of 5-0 was entered.

**Fire Company:** There was no report. The Commissioners agreed a letter needs to be addressed to the Fire Company stating a guarantee of funds for the purchase of fireworks for next year. President Faust will provide supporting information regarding the costs.

**MES Report:** Don Reed and Jay Jarrell attended the meeting. There were no violations at either plant. At the wastewater treatment plant there is still a great deal of fine tuning being done to meet permit requirements. Mechanically the plant is running great and start up went well. After reviewing the contract for maintenance by Ingersoll Rand for the air compressors; a motion to accept was made by Clark, a second by Ford; a vote of 5-0 was entered. A request was made to resend the HACH contract to the Commissioners for their review and decision.

**Neighborhood Watch:** There was no report.

**Sheriff Department:** There was no report.

**Library:** Library Report was reviewed. Trustee Larry Purnell requested someone from the Town Commission attend the next meeting to discuss the sharing of expenses. The next meeting is scheduled for the 28<sup>th</sup> of September; President Faust agreed to attend this meeting. A motion to allocate expenses 60% Town + 40% Library was entered by Clark, a second by Ford; a vote of 5-0 was entered.

**Planning Commission:** The Planning Commission did not meet in the month of August.

**Financial Report:** The financial report was reviewed.

**Town Manager:** The report was reviewed.

**Code Enforcement:** There was no report. President Faust requested approval to purchase a digital camera to use for Code Enforcement. A motion was made by Ford, a second by Clark; a vote of 4-0-1 was entered with President Faust abstaining from the vote. It was also determined that President Faust would be in charge of Code Enforcement.

**Engineer Report:** Peter Bourne presented the Engineer Report. WWTP – is in operation. An overview of findings from the walk-thru was discussed. KCI has spoken with the Attorney, Mitchell Kearney, regarding the interest claims for late payments, back to work claims, and request for substantial completion payment and release of liens. It is the recommendation of the Attorney and KCI not to accept the request by Wickersham to charge 12% interest on the late payments and not to accept the back-to work claims. KCI has also spoken with USDA and MDE; both organizations feel the work is not complete. A recommendation by KCI was made not to make future payments until acceptance from USDA and MDE. A motion was made by Kerr to accept KCI's recommendations, a second was made by Clark; a vote of 5-0 was entered. Faust asked Bourne to inspect the site as we have received a complaint from the grass contractors stating they cannot cut the grass due to debris and potential damage to their equipment.

**Action Items:**

**Resolution 2016-05 - Amended Budget for Fiscal Year 2016** – A resolution to adopt the amended budget for fiscal year 2016 was introduced. A motion to adopt was made by Clark, a second by Kerr; a vote of 5-0 was entered.

**Municipal Attorney** – Information was reviewed from four attorneys that submitted RFQs to the Town. It was decided to interview each attorney, allowing 30 minutes per interview the Tuesday prior to the next meeting. Manning will schedule these interviews.

**Ordinance 2016-02 – Zoning Ordinance** – The revised zoning ordinance submitted by the Planning Commission was reviewed. The Public Hearing was opened at 7:00 PM; there being no comments the hearing was closed at 7:05 PM. A motion to adopt the revised zoning ordinance was made by Kerr, a second was made by Clark; a vote of 5-0 was entered.

**Ordinance 2016-03 – Nuisances & Public Hazards** – The revised Nuisance & Public Hazard ordinance was reviewed. The Public Hearing was opened at 7:15 PM; there being no comments the hearing was closed at 7:30 PM. A motion to adopt the Nuisance and Public Hazards ordinance was made by Kerr, a second was made by Clark; a vote of 5-0 was entered.

**Public Comments:** There were no public comments.

**Closed Session:** A motion to go into closed session at 7:50 PM was made by Clark, with a second by Engrem to discuss the hiring of a part-time maintenance person; a vote of 5-0 was entered. There were two applicants; Robert Nicholson III and Clayton Dadds. A motion to close the closed session at 8:00 PM was made by Ford, a second was made by Clark; a vote of 5-0 was entered.

A motion to adjourn the meeting at 8:05 PM was made by Ford, a second was made by Clark; a vote of 5-0 was entered.

Respectfully submitted,

Elizabeth Jo Manning  
Town Administrator