

**TOWN OF SUDLERSVILLE**  
**Commission Meeting Minutes**  
**August 2, 2017**

**Present:** President Ronald Ford  
Commissioner Connie Engrem  
Commissioner William Faust III  
Commissioner Kevin Kerr  
Commissioner David Ruffner

**Town Manager:** Jo Manning

**Public:** Joseph Apple, SVFC Chief; Sue Kidwell; E.T. Kimble; Thomas Yeager, Attorney; Peter Bourne, KCI; Gary Fellows and Alan Schaubert, Vital ICE; Rebecca Smith; Reece Coleman; and Faye Williams

**President Ford called the meeting to order at 6:30 PM.**

**The Pledge of Allegiance was recited.**

**Minutes of the July 5, 2017 meeting:** The minutes of the July 5, 2017 meeting were reviewed. A motion to accept the minutes as written was made by Engrem; a second was made by Ruffner, a vote of 5-0 was entered.

**Vital ICE Presentation** – Gary Fellows and Alan Schaubert gave a presentation on their new app for mobile devices for emergency information.

**Fire Company:** They requested an update on the fire hydrant problem. Manning confirmed that the sign has been ordered, the sheriff's department is aware of the problem and a letter was sent to the property owner.

**MES Report:** There was no report

**Sheriff Department:** There was no report

**Library:** The Library report was reviewed

**Planning Commission:** The Planning Commission held a public hearing for a lot line adjustment for Lucy Kimble and it was approved. Robert Nicholson stated that he was interested in being on the Board of Appeals and Rebecca Smith stated that she was interested in being on the Planning Commission.

**Town Manager & Financial Report:** The reports were reviewed.

**Code Enforcement:** The report was reviewed.

**Engineer Report:** Bourne suggested that the Commissioners should go into closed session before adjourning the meeting to discuss potential litigation.

**Action Items:**

**National Night Out** – Faust gave a report on National Night Out and thanked the Fire Company and the Sheriff's Department for attending the event. He also thanked those who help set up and clean up. He suggested giving a \$50 donation to the Girl Scout troop that helped hand out drinks and snacks. A motion to approve a \$50 donation to the Girl Scout troop was made by Engrem, a second was made by Kerr; a vote of 5-0 was entered. The left over hotdogs and hotdog buns will be given to the Fire Company for the Peach Festival.

**Rate Study:** Tabled to the next meeting

**Town Hall Rental – August 19, 2017:** There is a town hall rental on August 19, 2017. Ron Ford stated that he will open and close the doors for the event. There was a question about charging a fee in order to rent the town hall. Faust and Kimble stated that because the town hall was renovated to be a “Community Center” with grant money that part of the grant stated that the Commissioners could not charge a fee but could request a donation.

**Charter Review** – Tabled to the next meeting.

**Public Comments:**

**Kimble – Sewer Allocations:** E.T. Kimble expressed his concerns about the Town charging the quarterly sewer fees for his vacant lots when he paid the allocation fees in 1991. At the time the Town said that those lots would not be charged. Thomas Yeager explained that the Commissioners have the right to change their fee schedule and believes that the Town should not refund the allocation fees. Faust stated that it was USDA who demanded the rate adjustment to include all properties in the Town. The Town will consult with USDA about a vacant lot fee.

**Kidwell – Grass Cutting:** Sue Kidwell stated that the Commissioners didn't make a decision on grass cutting and would like to know what they plan on doing. She stated that she likes Blackiston Lawn Care and that they do a great job. Faye Williams stated that she doesn't think that the town should buy a mower. The Commissioners reviewed the bids again. Thomas Yeager discussed the bidding process. A motion to review the contract the Blackiston Lawn Care and if the contract allows the Town to renew the Town should renew and reject the bids was made by Faust, a second was made by Kerr; a vote of 5-0 was entered.

**Coleman – 117 West Main Street:** Reece Coleman and his family members are working on buying the Adams property at 117 West Main Street but the process is being held up by the court hearing that the Town has for that property for code violations. Yeager explained that the citations have been paid and now the objective is to get the property cleaned up. A motion to make the property clear of citations so that the property can go to settlement but to have Adams pay for attorney costs was made by Faust. Yeager explained that the Town would have to have a court hearing in order to collect the fees. The motion fell. A motion to resolve the issue so the property can go to settlement was made by Faust, a second was made by Engrem; a vote of 5-0 was entered

**Closed Session:** A motion to enter closed session to consult with staff, consultants, or other individuals about pending or potential litigation was made by Kerr, a second was made by Faust; a vote of 5-0 was entered. Bourne discussed the WWTP project and mitigation with Wickersham. The Commissioners need to give the construction attorney the authority to make decisions at mitigation. A motion to give Mitch Kearney the authority to make the decision to pay the change orders, have Wickersham come back to complete the project and then pay the retainage was made by Faust, a second was made by Kerr;

a vote of 5-0 was entered. A motion to come out of closed session was made by Faust, a second was made by Kerr; a vote of 5-0 was entered.

A motion to adjourn the meeting was made by Faust, a second was made by Ruffner; a vote of 5-0 was entered at 9:30 PM

Respectfully submitted,

Michelle Marshall  
Town Clerk-Treasurer