

**Mayor & Council of Federalsburg
Regular Meeting
Amended Minutes
Monday, February 3, 2025
6:00 PM**

The Mayor & Council of Federalsburg held their regular monthly meeting on February 3, 2025 at 6:00 PM, in the Mayor & Council meeting room located at Town Hall. Those in attendance were Mayor Abner, Councilmembers Hammond, James, and Sewell via Zoom, Interim Town Manager Mercedes Moyer, Town Attorney Lyndsey Ryan via Zoom and members of the public were also present in the meeting room as well as on Zoom.

Call to Order

Mayor Abner called the Mayor and Council regular meeting to order at 6:01 pm. Mayor Abner welcomed all guests that were present and led the Pledge of Allegiance.

Amend the Agenda:

A motion was made by Councilmember James, seconded by Councilmember Hammond and unanimously passed by a vote of 4 to 0 to amend the agenda for personnel reasons.

Approval of the Previous Month's Minutes

Councilmember James made a motion, seconded by Councilmember Hammond and unanimously passed by a vote of four to zero, approving the minutes from the January 18, 2025 Mayor and Council Budget/Strategic Planning Workshop.

Personnel

Mayor Abner reported that Town Manager Kristy Marshall has resigned. Mrs. Mercedes Moyer was introduced as the Interim Town Manager. An advertisement for a replacement will occur when the job description has been updated.

Discussion- Ralph Brome From Tuckahoe Habitat, Properties in Benjamin Haynes Court.

Mr. Ralph Brome, a representative from Tuckahoe Habitat, reported that Tuckahoe Habitat would like to donate to the Town of Federalsburg the three open space and water management lots in Benjamin Haynes court that they can't sell or build on.

The Mayor and Council voiced their concerns about the maintenance of the three lots. Councilmember James stated that the fence that surrounds the storm water pond needs to be replaced and the lots need to be weed whacked. Mayor Abner stated if the town was to take ownership, Tuckahoe Habitat would have to make the repairs needed for the fence and the maintenance work completed on the three properties. The Mayor and Council also stated that if they were to take ownership of the property they would like to have the space used as a playground that would be funded by a grant.

Town Attorney Lyndsay Ryan advised that Tuckahoe Habitat should have a title search paid and completed by them before we considered taking the property over.

Mr. Brome will go back to Tuckahoe Habitat with the Town's requests.

Interim Town Manager Moyer will follow up with Mr. Brome and update the Mayor and Council.

Discussion - Federalsburg Activity Center - Pam Bockart

Pastor Pam Bockart reported that the Federalsburg's Activity Center's construction is complete and is now waiting for a permit of occupancy. She also stated that the MOU agreement was signed and returned to town for the \$5000 the town was funding to the Activity Center. She asked the Mayor and Council what would be the next steps for the Activity Center to have their occupancy permit and the \$5000.00 in funding.

Interim Town Manager Moyer explained that a final inspection of the building from First State Inspection needs to take place before the town can give the certificate of occupancy.

Pastor Pam Bockart also stated that four bids were submitted for Painting the Activity Center and would like to use the \$5000 MOU money to cover the cost.

Councilmember James made a motion, seconded by Councilmember Hammond and unanimously approved by a vote of four to zero to sign the MOU agreement between the Town of Federalsburg and the Federalsburg Activity Center releasing the \$5000 to the Federalsburg Activity Center.

Introduction of Ordinance 2025-01-Conveyance of Property Located Near University Avenue:

Interim Town Manager Moyer reported the 2025-01-Conveyance of Property located near University Avenue will need to be introduced and a public hearing will need to be

scheduled by the Mayor and Council. Interim Town Manager Moyer explained that bids were put out to the public and the only sealed bid that was submitted was by Mr. Ernest Adkins for \$24,500.

Councilmember James made a motion, seconded by Councilmember Hammond and unanimously passed by a vote of four to zero to schedule a public hearing on March 3, 2025 and introduce the Ordinance 2025-01-Conveyance of Property located near University Avenue.

Discussion-Purchase Agreement of K-9 Mosley

Town Attorney Lyndsay Ryan reported that Mr. Jeff Adams would like to take ownership of the retired K-9, Mosley. In the agreement, Town Attorney Ryan read the following:

1. The Town agrees to sell Mosley for \$1.00. Buyer agrees to purchase Mosley from the Town for \$1.00. The date on which this agreement is fully executed is referred to as the "Purchase Date" in this agreement.
2. After the Purchase date, Mosley is no longer a K-9 officer and the Buyer assumes all responsibility for the cognition and care of Mosley, with exception of section 2.a. Herein. The town makes no promises concerning the physical or mental health of Mosley.
 - a. The town shall reimburse the Buyer for reasonable and necessary veterinary treatment provided to Mosley provided the expense is for usual and customary veterinary treatment that is not attributable to abuse or neglect of Mosley and is verified by written receipt; and may not exceed \$2,500 during a calendar year and \$10,000 over the life of Mosley. Shall Mosley return to duty in law enforcement this provision is void and the Town no longer has an obligation to reimburse the buyer for veterinary expenses.

Mr. Adams requested to take ownership of Mosley and explained he would take her to another law enforcement agency to work.

After a lengthy discussion, Councilmember James made a motion, seconded by Councilmember Hammond and unanimously approved by a vote of four to zero to sign the purchase agreement of K9 Mosley to Jeff Adams for \$1.00 and the Town of Federalsburg will longer obligate to reimburse the Buyer for veterinary expenses when Mr. Adams confirms K9 Mosley is employed and has returned to duty in law enforcement with another agency.

Discussion-CDBG Grant Required Documents

Interim Town Manager Moyer explained that the Town of Federalsburg is working on refurbishing two pumping stations, the Marina Park Station and the East Central Station. The town applied for and received funding for the design and engineering of the pump stations through the CDBG grant. The town sent out bids, which included minority companies, to work on the design and engineering plans.

Councilmember James voiced her concerns about personnel policies and stated that the personnel manual needs to be updated. She also questioned the minority business owners' bidding page. Town Attorney Ryan explained MDE developed the minority policy that the town uses. In the past the town's projects were too small and did not meet the criteria of the minority policy but in this case the pumping stations project was large enough that it fit the minority policy.

Interim Town Manager Moyer stated the project was already out for bidding because they have to follow the MDE and CDBG rules. The Town Attorney will get an amended copy of the agreement.

Councilmember James made a motion, seconded by Councilmember Hammond and unanimously approved, by a vote of four to zero to accept the documents that were submitted to CDBG.

Discussion/Appointment of President Pro Tem

The Mayor and Council tabled this discussion for the next meeting until the new councilmember has been appointed to the Mayor and Council of Federalsburg.

Discussion/Appointment of District 2 Councilperson

Councilmember Sewell stated she would like to have a special election held for District 2 residents so they have a say in who represents their District.

Councilmember Hammond voiced her concerns and disagreed that a special election should be held.

Councilmember James voiced her concerns about holding a special election. Councilmember James asked Town Attorney Ryan, "What is your legal opinion on this working around our charter? Because it seems to me it's happening more frequently here where we are going around the charter finding loopholes in the charter. What is your legal opinion for us as a council? Because truthfully a lot of things is being done and it's not being addressed by our legal council or others. I just want to know your legal opinion on this because to me if it's not in the charter we need to do exactly what the charter said. As the Council, when the council made a decision that when I was

elected, not to address this, and you were here at that meeting. And now here we are going to address it now because you know we want to do this in the manner to whoever it benefits. If our charter says one thing then we need to go by it and once it's done it's done. After it is done and over with whoever is up here then we can change the charter. But for right now we consciously sit here when issues are brought up and we consciously choose to be passive not to attend to them and not remedy them right away and then come back and say NO, NO, NO. You can't back track. That's not cool. I want to know what your legal take is on this because to me our charter is our charter and that's what it is. Nobody said anything about the voting stuff but I said this when I first got up here. I said this not just once. I believe I said it twice and I said it in closed session as well about this voter issue. The voting systems needs to be changed in the charter but it was passed over. So what is your legal advice?"

Town Attorney Ryan replied, "My recommendation is to not do the special election. What I advised was that the charter requires that the remaining council members fill the vacant seat. However, if you decided that is not something you want to pursue because you felt like it's not in the interest of transparency or public interest then a special election would be an option, if you wanted to pursue that. But under the charter you have the authority to appoint that seat and you can exercise that authority. I don't think that provision in the charter is illegal or needs to be changed. Plenty of charters provide that when there is a vacancy the remaining council members fill that seat. I don't know if that answered your question or if there is more you want me to elaborate on."

Councilmember James replied, "So you're saying that the vacancy provision within the charter does not provide under the vacancy section that we have a special election and the remaining council members shall elect the person to serve out the remaining term for the vacant spot, Correct?"

Town Attorney Ryan replied, "Correct. The remaining council members appoint the person to fill the vacancy."

Councilmember James replied, "And that section of the charter does not need to be changed. Correct? Because it could still state that, even though we are divided into two districts, correct?"

Town Attorney Ryan replied, "Correct, as long as you appoint someone that is a qualified candidate, meaning they reside in that district."

Councilmember James replied, "Correct, so that is pretty much the requirements at hand to be a council person in the Town of Feddealsburg, right?"

Town Attorney Ryan replied, "Correct."

Councilmember Sewell made a motion to appoint Dr. Robert Willoughby to fill the vacancy for District 2 Councilmember. The motion was not seconded and therefore was not passed.

Councilmember James made a motion, seconded by Councilmember Hammond to appoint Amber Korrell to fill the vacancy of District 2 Councilmember. A Call for a vote was made for appointing Ms. Amber Korrell Councilmember for District 2:

Councilmember James: Yes

Councilmember Hammond: Yes

Councilmember Sewell: No

Public Comment

Mr. James Bart Johnson, 106 Charlotte Avenue, licensed Real Estate Agent reported the following:

- House Bill 538: Modular and Manufactured Housing for Single Family Units was passed allowing them to be built in towns.

Mr. Joe Glime, representing the Historical Society reported the following:

- The Historical Society will be hosting a seminar at 6pm, Saturday, February 8, 2025 at the museum. The topic: Mills on the Marshyhope

Town Manager Report

Interim Town Manager Moyer reported the following:

- Would like to do biweekly reports with the Mayor and Council
- CBDG Funds
- Wastewater Treatment Plant plan was submitted on Friday
- After Hours phone# 410-443-1441 Mercedes Moyer
- Business Licenses will discuss with Town Attorney Ryan to create them for the town.

Mayor & Council Action Items

Councilmember James: Reported the following

- Questioned if there was an update on the lead line surveys. When were they supposed to go out? What questions were going to be asked, and any other important information.
- What is the status of the RFP and the bidding out of lawn services? Interim Town Manager Moyer will have it completed on February 19, 2025

- Requested workup of the budget and when will The Mayor and Council start working on the final budget and will be available at the March 17 Workshop Meeting
- Requested a printout of the line items where money hasn't been spent and how that money can be repurposed for other line items
- Requested by February 15, 2025, to have bank account amounts and reports for income and expenses.
- Expressed as a Councilperson I am extremely disappointed with my fellow Councilmembers with certain situations and decisions that have been made outside the charter. As colleagues we should be working together and working on behalf of the town. Some of these INDEPENDENT decisions are DISHEARTING and DISRESPECTFUL. If this continues I will file an injunction in court.

Councilmember Sewell: Reported the following:

- Nothing at this time.

Council Member Hammond: Reported the following

- Asked if there was money in the budget for slow humps in front of Food Lion as a safety measure. Interim Town Manager Moyer will contact the management company of the shopping center where Food Lion is located and see if they are willing to put them in since they own the property.

Mayor Abner: Reported the following:

- The pot holes that have been filled around town look good.

Next Steps:

- RFP deadline and include grass cutting
- Lead Line Survey
- Modular/Manufactured housing ordinance with Town Attorney
- Budget workshop for March

Request for Closed Session to Discuss Personnel Matters

Councilmember James made a motion, seconded by Darlene Hammond unanimously passed by a vote of three to zero to go into closed session for personnel matters at 8:07pm.

The regular meeting reconvened at 8:40pm.

Mayor Abner reported that the Mayor and Council of Federalsburg met in closed session from 8:07pm to 8:40pm to discuss personnel matters. No actions were taken.

Regular Session

Adjournment

There being no further business. Councilmember Hammond made a motion, seconded by Councilmember James and unanimously passed by a vote of three to zero to adjourn the meeting at 8:40pm.

Respectfully Submitted,

Sandra Smith
Town Clerk