

Mayor and Council of Federalsburg
Monday, May 6, 2024
Regular Meeting @ 6 PM

This meeting is being held at the Mayor and Council Meeting Room located at 118 North Main Street. Citizens who wish to participate by video shall follow directions listed below:

Join Zoom Meeting
<https://us02web.zoom.us/j/81804073544?pwd=V1JSTkNuTVYrM1M0QnlveFFTRWxmZz09>

Meeting ID: 818 0407 3544
Passcode: TOFBusi

Agenda

- I. Call To Order
- II. Public Hearing – Ordinance No. 2024-03 - Adopting a General Fund Budget and Enterprise Budget for FY 2024 – 2025
- III. Public Hearing – Ordinance No. 2024-04 – Adopting Water and Sewer Rate Increases
- IV. Public Hearing – Ordinance No. 2024-05 – Amending the frequency of Residential Rental Inspections
- V. Invocation
- VI. Welcome - Pledge of Allegiance
- VII. Approval of Previous Month’s Minutes
- VIII. Introduction of New Employee – Abid Khan, Water/Wastewater Superintendent
- IX. Adoption of Ordinance No. 2024-03 - Adopting a General Fund Budget and Enterprise Budget for FY 2024 – 2025
- X. Adoption of Ordinance No. 2024-04 – Adopting Water and Sewer Rate Increases
- XI. Adoption of Ordinance No. 2024-05 – Amending the frequency of Residential Rental Inspections
- XII. Introduction of Resolution No. 2024-03 – A Resolution for the Purposes of Creating A Town Unity Committee
- XIII. MOU Federalsburg Activity Center

XIV. Public Comment Policy Discussion

XV. Public Comment

XVI. Mayor & Council Action Items

- Councilmember Williamson
- Councilmember James
- Councilmember Sewell
- Councilmember Hammond
- Mayor Abner

XVII. Adjournment

NOTES:

THE MEETINGS ARE BEING RECORDED, PLEASE TURN OFF ALL CELLULAR DEVICES AND PAGERS DURING THE MEETING, PLEASE REMAIN QUIET, UNLESS ADDRESSING THE COUNCIL.

Please Note: Pursuant to the Annotated Code of Maryland, State Government Article Section 10-508(a), the Council by majority vote may retire to executive or closed session at any time during the meeting. Should the Council retire to executive or closed session; the chair will announce the reasons and a report will be issued at a future meeting disclosing the reasons for such session. Meetings are conducted in Open Session unless otherwise indicated. All or part of the Mayor and Council meetings can be held in closed session under the authority of the state open meetings law by vote of the Mayor and Council.

Rules for Public Comment

The Mayor and Council invite and welcome comments at public meetings. The Mayor or presiding officer will recognize you. Please introduce yourself at the podium (spelling your last name, for recording purposes) and give the name of your street and block number (e.g., 100 block of Main Street).

Time limits for speaking are indicated on the meeting agenda. While speaking, please maintain a courteous tone and avoid personal attack.

**Mayor & Council of Federalsburg
Workshop Meeting
Monday May 20, 2024
5:30 PM**

The Mayor & Council of Federalsburg held their regular monthly workshop meeting on May 20, 2024 at 5:30 PM, in the Mayor & Council meeting room located at Town Hall. Those in attendance were Mayor Abner, Councilmembers Hammond, Sewell, James and Williamson, Town Manager Kristy Marshall, Town Attorney Lyndsey Ryan and members of the public were also present in the meeting room, as well as on Zoom.

Call to Order

Mayor Abner called the meeting to order at 5:30.

Councilmember Sewell made a motion and Councilmember Williamson seconded the motion and unanimously passed by a vote of 5 to 0 to go into closed session for personnel matters.

The regular meeting reconvened at 6:00 PM.

Mayor Abner reported that the Mayor and Council met in closed session from 5:30 PM to 6:00 PM with the Town Attorney to discuss personnel matters. No action was taken.

Mayor Abner welcomed all guests that were in person and online.

Approval of the Previous Month's Minutes

Councilmember Sewell made a motion, seconded by Councilmember Williamson and unanimously passed by a vote of five to zero, approving the amended minutes from the May 6, 2024 Mayor and Council Meeting.

Kat Stork- Town Restaurant Space Rental

On the behalf of Beth Brewster of Shore Gourmet, and the Culinary Center for Caroline County Public Schools, Kat Stork requested to get approval from the Mayor and Council to lease the space at 115 North Main Street for a community resource center similar to One Mission in Cambridge, Maryland.

After a lengthy discussion the Mayor and Council would like to see the center come to Federalsburg. Estimates to get the building in working order will need to be obtained and those estimates will allow Kat Stork and her organization to obtain grant funds for their project.

Proclamation-Public Works Week May 19th-25th

Mayor Abner proclaimed the week of 5/19/24-5/25/24 as Public Works Week. Mayor Abner stated that this was the 64th annual Public Works Week. She gave a shout out to the Public Works Department and how appreciative the Town of Federalsburg is to have them and that this proclamation will be posted online.

Introduction and Schedule Public Hearing-Ordinance No. 2024-03 - Adopting FY 2024-25 Operating Budget

Councilmember Sewell made a motion, seconded by Councilmember Williamson and unanimously passed by a vote of five to zero introducing Ordinance No. 2024-03, and to schedule a public hearing on Ordinance No. 2024-03, adopting a General Fund Budget and Enterprise Budget for the fiscal year beginning July 1, 2024 and ending June 30, 2025, and establishing a tax rate of \$.94 cents per \$100 of assessed real property value and a tax rate of \$1.65 per 100 on all commercial or business property and all railroad and utility property; adopting the service and administrative fee for semi-annual billings as adopted by Caroline County; establishing a quarterly waste collection fee in the amount of \$53.94 for commercial properties which receive waste collection services and for all residential properties located within the corporate town boundaries; and establishing a \$10.00 per item charge for extra waste collection items.

Introduction and Schedule Public Hearing - Ordinance No. 2024-04 - Revising Water and Sewer Rates and Connection Charges

Councilmember Sewell made a motion seconded by Councilmember Hammond and unanimously approved by a vote of five to zero introducing Ordinance No. 2024-04 and scheduling a public hearing on June 10, 2024 at 6 pm for Ordinance No. 2024-04 revising the water and sewer rates and capital connection charges for users of the municipal water and sewer system.

Introduction and Schedule Public Hearing - Ordinance No. 2024-05 - Amending the frequency of Residential Rental Inspections

Councilmember Sewell made a motion seconded by Councilmember Williamson and unanimously passed to introduce Ordinance No. 2024-05 and scheduling a public hearing on June 10, 2024 for Ordinance No. 2024-05 amending the frequency of Residential Rental Inspections.

Introduction and Adoption of Resolution No. 2024-02 - Amending the Fee Schedule for Residential Rental Licenses

Councilmember Williamson made a motion seconded by Councilmember James and unanimously approved by a vote of five to zero, approving Resolution No. 2024-02 amending the Fee Schedule for Residential Rental Licenses.

Public Comment:

Mr. James Thomas of South University Avenue voiced concerns about his past water bills being very high. He also stated that he was concerned that the town manager does not have at least a bachelor's degree in management.

Mayor & Council Action Items

Councilmember Williamson: Reported the following:

- Asked about the status of the Railroad Bridge. He expressed his concerns that kids that are jumping off the railroad bridge are going to get injured. Councilmember Williamson suggested installing a 10 ft. fencing on both sides of the bridge to prohibit jumping from it. Mayor Abner stated that the bridge is owned by the State of Maryland.

Councilmember James: Reported the Following:

- Would like to see the supervisors of each department attend a Mayor and Council meeting each month to report from their departments so that the public is also informed about what is going on in the town.
- The unfinished business list should be updated monthly with a date of when the task was completed and the status of each item on the list.
- Would like to have an update about the committee that needs to be formed according to the lawsuit.
- Asked about an itemized breakdown of the \$7,000 budgeted for the ACLU line item in the budget. Town Manager Marshall explained that the figure was a guesstimate because it is unclear of what the actual costs for the plaque, photos, signage, marker and community event will be

Councilmember Sewell: Reported the following:

- Commended Town Manager Kristy Marshall and the Town Staff for their hard work on the upgrades/renovations to Town Hall.
- Met with Grants Administrator Mercedes Moyer and Executive Director of Caroline County's Chamber of Commerce, Tracey Synder about bringing Paddlefest to Federalsburg in the month of September.

Council Member Hammond: Reported the following:

- Asked for an update about the road paving for Brooklyn Avenue.
- Asked about the town's Emergency Plan. Town Manager Marshall stated that she is working on the draft plan.

Mayor Abner: Reported the following:

- The road out to the industrial park needs to be properly repaired and there needs to be a system in place to check that the roads are being repaired properly.
- Sustainable Application will be sent out to all Councilmembers.

Adjournment:

There being no further business, Councilmember James made a motion seconded by Councilmember Hammond and unanimously passed by a vote of five to zero to adjourn the meeting at 7:09 PM.

Respectfully Submitted,

Sandra Smith, Town Clerk

**Town of Federalsburg
FY 2024-25 Operating Budget**

EXPENDITURES

General Government	\$ 603,407.00
Public Safety	\$ 1,334,154.00
Public Works	\$ 878,314.00
Debt Service	\$ 307,062.00

TOTAL EXPENDITURES **\$ 3,122,937.00**

REVENUES:

Taxes	\$ 2,446,847.00
Licenses & Permits	\$ 20,000.00
Revenue from other Agencies	\$ 44,390.00
Public Safety	\$ 177,200.00
Sanitation and Waste Removal	\$ 266,900.00
Recreation	\$ 6,500.00
Fines and Forfeitures	\$ 100.00
Miscellaneous	\$ 161,000.00

TOTAL REVENUES **\$ 3,122,937.00**

Tax Rate Increase

Listed below are sample assessments and the amount of increase due to the assessment increase and the tax rate increase from \$.88 to \$.94.

	<u>Rate</u>	<u>Assessment</u>	<u>Town Tax</u>	<u>Amt of Increase</u>
2023 Assessment Current Tax Rate	0.88	134,800	\$ 1,186.24	
Assessment Increase	0.88	145,967	\$ 1,284.51	\$ 98.27
Tax Rate Increase	0.94	145,967	\$ 1,372.09	\$ 185.85
<hr/>				
2023 Assessment Current Tax Rate	0.88	195,100	\$ 1,716.88	
Assessment Increase	0.88	219,633	\$ 1,932.77	\$ 215.89
Tax Rate Increase	0.94	219,633	\$ 2,064.55	\$ 347.67
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2023 Assessment Current Tax Rate	0.88	149,500	\$ 1,315.60	
Assessment Increase	0.88	157,200	\$ 1,383.36	\$ 67.76
Tax Rate Increase	0.94	157,200	\$ 1,477.68	\$ 162.08
<hr/>				
2023 Assessment Current Tax Rate	0.88	191,800	\$ 1,687.84	
Assessment Increase	0.88	234,633	\$ 2,064.77	\$ 376.93
Tax Rate Increase	0.94	234,633	\$ 2,205.55	\$ 517.71

OLD RATES

Water Debt Service	\$21.20
Water Usage (per 1,000 gallons)	\$3.15
Sewer Debt Service	\$109.89
Sewer Usage (per 1,000 gallons)	\$5.27
Garbage	\$53.94
Bay Restoration Fee	\$15.00

TOTAL

	\$242.13	\$284.23	\$326.33	\$368.43
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How to calculate your bill. Every water & sewer bill has a usage in the thousands. When calculating your bill, you divide your usage by 1,000.

For example, if your usage is 5000, you divide it by 1,000 and it is 5. You then take 5 X \$3.15(water usage) = \$15.75 plus your water debt service and it equals \$36.95
 5 X \$5.27(sewer usage) = \$26.35 plus your sewer debt service and it equals \$136.24

NEW RATES

Water Debt Service	\$21.20
Water Usage (per 1,000 gallons)	\$3.47
Sewer Debt Service	\$109.89
Sewer Usage (per 1,000 gallons)	\$5.80
Garbage	\$53.94
Bay Restoration Fee	\$15.00

TOTAL

	\$246.38	\$292.73	\$339.08	\$385.43
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INCREASE

	\$4.25	\$8.50	\$12.75	\$17.00
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The increase is \$.85 per 1,000 gallons used. The rate increases are for usage only, the debt service rates were not increased.
 This is the first increase since Fiscal Year 2017-2018.

How to calculate your bill. Every water & sewer bill has a usage in the thousands. When calculating your bill, you divide your usage by 1,000.

For example, if your usage is 5000, you divide it by 1,000 and it is 5. You then take 5 X \$3.47(water usage) = \$17.35 plus your water debt service and it equals \$38.55
 5 X \$5.80(sewer usage) = \$29.00 plus your sewer debt service and it equals \$138.89.

	5,000 EXAMPLE	10,000 EXAMPLE	15,000 EXAMPLE	20,000 EXAMPLE
Water Debt Service	\$21.20	\$21.20	\$21.20	\$21.20
Water Usage (per 1,000 gallons)	\$15.75	\$31.50	\$47.25	\$63.00
Sewer Debt Service	\$109.89	\$109.89	\$109.89	\$109.89
Sewer Usage (per 1,000 gallons)	\$26.35	\$52.70	\$79.05	\$105.40
Garbage	\$53.94	\$53.94	\$53.94	\$53.94
Bay Restoration Fee	\$15.00	\$15.00	\$15.00	\$15.00

	5,000 EXAMPLE	10,000 EXAMPLE	15,000 EXAMPLE	20,000 EXAMPLE
Water Debt Service	\$21.20	\$21.20	\$21.20	\$21.20
Water Usage (per 1,000 gallons)	\$17.35	\$34.70	\$52.05	\$69.40
Sewer Debt Service	\$109.89	\$109.89	\$109.89	\$109.89
Sewer Usage (per 1,000 gallons)	\$29.00	\$58.00	\$87.00	\$116.00
Garbage	\$53.94	\$53.94	\$53.94	\$53.94
Bay Restoration Fee	\$15.00	\$15.00	\$15.00	\$15.00

ORDINANCE NO. 2024-03

AN ORDINANCE OF THE MAYOR AND COUNCIL OF FEDERALSBURG ADOPTING A GENERAL BUDGET AND ENTERPRISE BUDGET FOR THE FISCAL YEAR BEGINNING JULY 1, 2024 AND ENDING JUNE 30, 2025, AND ESTABLISHING A TAX RATE OF \$.96 PER \$100 OF ASSESSED REAL PROPERTY VALUE AND A TAX RATE OF \$1.65 PER \$100 ON ALL COMMERCIAL OR BUSINESS PERSONAL PROPERTY AND ALL RAILROAD AND UTILITY PROPERTY; ADOPTING THE SERVICE AND ADMINISTRATIVE FEE FOR SEMI-ANNUAL BILLINGS AS ADOPTED BY CAROLINE COUNTY; ESTABLISHING A QUARTERLY WASTE COLLECTION FEE IN THE AMOUNT OF \$53.94 PER QUARTER FOR COMMERCIAL PROPERTIES WHICH RECEIVE WASTE COLLECTION SERVICES AND FOR ALL RESIDENTIAL PROPERTIES LOCATED WITHIN THE CORPORATE TOWN BOUNDARIES; AND ESTABLISHING A \$10.00 PER ITEM CHARGE FOR EXTRA WASTE COLLECTION ITEMS

WHEREAS, Section C11-1 of the Federalsburg Town Charter requires the Town to establish and operate an annual budget; and

WHEREAS, the Town has determined that it is desirable and in the public interest, and consistent with state law, to establish a General Budget, which is set forth in the attached Exhibit "A"; and

WHEREAS, the Town has determined that it is desirable and in the public interest, and consistent with state law, to establish an Enterprise Budget for the Town's water and wastewater operations, which is also set forth in the attached Exhibit "B" and

WHEREAS, the Town has determined that it is desirable and in the public interest, and consistent with state law to charge a service and administrative fee on semi-annual tax collection billings in the same amount as established by Caroline County, as set forth herein; and

WHEREAS, the Town has determined that it is desirable and in the public interest, and consistent with state law, to establish a quarterly waste collection and disposal fee in the amount of \$53.94 per quarter for commercial properties which receive waste collection services, and for all residential properties within the corporate boundaries of the Town; and

WHEREAS, the Town has determined that it is desirable and in the public interest, and consistent with state law, to establish a charge for extra waste collected in the amount of \$10.00 per item collected; and

NOW, THEREFORE, be it Ordained and Enacted by the Mayor and Council of Federalsburg, Maryland that the following tax rates and fees, revenue and expenditure estimates are adopted for Fiscal Year commencing July 1, 2024:

- Section 1. General Fund
- Section 2. Rate of Taxation on Real Property
- Section 3. Rate of Taxation on Corporation
- Section 4. Service and Administrative Fee
- Section 5. Rate of Taxation on Railroad and Utility Property
- Section 6. Waste Collection Fee

Section 1. General Fund

A. That the following amounts shall be hereby appropriated for the expenditures designated for the fiscal year beginning July 1, 2024 and ending June 30, 2025 for the General Fund:

Activity Title	Approved Budget & Appropriation
EXPENDITURES	
General Government	\$ 603,407.00
Public Safety	\$ 1,334,154.00
Public Works	\$ 878,314.00
Debt Service	\$ 307,062.00
TOTAL EXPENDITURES	<u>\$ 3,122,937.00</u>

B. That the following revenues are, in the consideration judgment of the Mayor and Council of Federalsburg a fair appraisal and estimate of the revenues available to finance this budget and these appropriations for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Source

REVENUES:

Taxes	\$ 2,446,847.00
Licenses & Permits	\$ 20,000.00
Revenue from other Agencies	\$ 44,390.00
Public Safety	\$ 177,200.00
Sanitation and Waste Removal	\$ 266,900.00

Recreation	\$ 6,500.00
Fines and Forfeitures	\$ 100.00
Miscellaneous	\$ 161,000.00__
TOTAL REVENUES	<u>\$ 3,122,937.00</u>

Section 2. Rate of Taxation on Real Estate Property

That the rate of taxation on real property to be taxed within the boundaries of the Town of Federalsburg, Maryland shall be and hereby is established as:

Ninety-six Cents (\$0.96)

On each one hundred dollars (\$100) of value for the fiscal year beginning July 1, 2024 and ending June 30, 2025.

Section 3. Rate of Taxation on Business Personal Property, Utility Property & Certifications

That the rate of taxation for the fiscal year beginning July 1, 2024 and ending June 30, 2025, on any personal property to be taxed by the Town of Federalsburg, Maryland shall be and hereby is established as:

One Dollar and Sixty-five Cents (\$1.65)

On each one hundred dollars (\$100.00) of assessed valuation, unless otherwise provided for by the Tax Property Article of the Annotated Code of Maryland.

Section 4. Service and Administration Fee Collected by Caroline County Treasurers Office

The Town adopts the rate of service and administrative fees on semi-annual billings assessed and adopted by the Caroline County Tax Office.

Section 5. Rate of Taxation on Railroad and Utility Property

That the rate of taxation for the fiscal year beginning July 1, 2024 and including June 30, 2025 on any railroad and utility property to be taxed by the Town of Federalsburg, Maryland, shall be and hereby is established as:

One Dollar and Sixty-five cents (\$1.65)

On each one hundred dollars (\$100.00) of assessed valuation, unless otherwise provided for by Md. Code Ann., Tax-Property Article § 6-103.

Section 6. Waste Collection Fee

That the rate of waste collection and disposal fee within the boundaries of the Town of Federalsburg, Maryland shall not change and hereby is established as:

Fifty-Three Dollars and Ninety-Four Cents (\$53.94) per quarter – Garbage Fee

Ten Dollars (\$10.00) per item – Extra Waste Collection Fee

Section 7. In accordance with Section C3-6, of the Federalsburg Town Charter, this Ordinance shall become effective upon passage by the Mayor and Council and recordation in the Minute Books.

	Yea/Nay
Kimberly J. Abner	_____
Darlene Hammond	_____
Debra Sewell	_____
Brandy James	_____
H. Torbert Williamson, II	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of June, 2024.

Kimberly J. Abner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this _____ day of June, 2024.

Sandy Smith, Town Clerk

ORDINANCE NO. 2024-04

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF
FEDERALSBURG REVISING THE WATER AND SEWER RATES AND
CAPITAL CONNECTION CHARGES FOR USERS OF THE MUNICIPAL
WATER AND SEWER SYSTEM**

WHEREAS, Md. Code Ann. Environmental Article 9-705 and the Federalsburg Town Charter Section C9-3 authorizes the Town to construct, operate, modify and maintain a water and sewerage system; and

WHEREAS, the Mayor and Council of Federalsburg have determined that it is desirable and in the public interest to establish and revise its water and sewer connection and capacity charges and use rates as set forth in this Ordinance; and

WHEREAS, the Mayor and Council of Federalsburg will advertise a public hearing on this Ordinance on June 10, 2024.

**NOW, THEREFORE, BE IT ORDAINED BY THE COMMISSIONERS OF THE
MAYOR AND COUNCIL OF FEDERALSBURG AS FOLLOWS:**

Section 1: Water and Sewer Rates. The following water and sewer rates are hereby established for properties that receive Town water and/or sewer services. Water and sewer billing will be based on water usage as measured by the water meter. For all vacant lots that currently do not have water and sewer connections, the property owners shall pay the water and sewer debt fees per lot based upon the zoning for such lot.

Quarterly Water and Sewer Billing Rates Fiscal Year 2024-2025

IN TOWN RATES	WATER USAGE	SEWER USAGE	WATER DEBT	SEWER DEBT
Residential Rate	\$3.47	\$5.80	\$21.20	\$109.89
Commercial Rate	\$4.10	\$6.85	\$21.20	\$109.89
Industrial Rate	\$4.51	\$8.57	\$23.32	\$137.36
Vacant Lots	-	-	5.29	\$27.47

OUT OF TOWN RATE	WATER USAGE	SEWER USAGE	WATER DEBT	SEWER DEBT
Residential Rate	\$6.15	\$10.27	\$31.80	\$164.90

Section 2: Capital connection charges. The following water and sewer capital connection charges are hereby established for properties that are connected to the Town's water or sewer system.

§ 235-29 Capital connection charges.

The water and sewer capital connection charges shall be ~~\$2,500~~ **\$7,500** for each water connection and ~~\$2,500~~ **\$7,500** for each sewer connection whether within or without the Town limits. This fee is in addition to any labor and material that is physically done by the municipality in connection with the installation.

Section 3: Effective Date. The effective date of the rates established herein shall be July 1, 2024.

Section 4: Prior inconsistent Ordinances Repealed. All Town ordinances that are inconsistent with the charges and fees set forth herein are repealed.

Section 5. In accordance with Section C3-6, of the Federalsburg Town Charter, this Ordinance shall become effective upon passage by the Mayor and Council and recordation in the Minute Books.

	Yea/Nay
Kimberly J. Abner	_____
Darlene Hammond	_____
Debra Sewell	_____
Brandy James	_____
H. Torbert Williamson, II	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of June, 2024.

Kimberly J. Abner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this _____ day of June, 2024.

Sandy Smith, Town Clerk

ORDINANCE NO. 2024-05

Introduced by: _____

**AN ORDINANCE OF THE MAYOR AND COUNCIL OF
FEDERALSBURG AMENDING SECTION 158 OF THE
FEDERALSBURG TOWN CODE TITLED, RENTAL HOUSING, TO
AMEND THE FREQUENCY OF RENTAL INSPECTIONS**

WHEREAS, pursuant to Md. Code Ann. Local Government Article § 5-202, and Federalsburg Town Charter Section C3-7, the Mayor and Council have the authority to adopt ordinances to protect the health, safety, comfort and convenience of the residents of the Town; and

WHEREAS, the Mayor and Council are concerned about the condition of rental units within Town; and

WHEREAS, the Mayor and Council currently require a residential rental inspection for rental units every three (3) years, which they believe is inadequate to address their concerns and ensure the protection of the public health and welfare; and

WHEREAS, the Mayor and Council have determined that it is desirable and in the public interest to amend the Town Code to require annual inspections of residential rental units within the corporate limits of the Town.

NOW, THEREFORE, be it ordained by the Mayor and Council of Federalsburg as follows:

Section 1. Chapter 158 of the Federalsburg Town Code is hereby amended as follows:

...

§ 158-4. Inspections.

...

C. Residential rental inspections will be conducted once every *year* ~~three (3) years~~.

...

Section 2. In case any one or more of the provisions of this Ordinance shall for any reason be held to be invalid, illegal or unenforceable in any respect, such invalidity, illegality, or unenforceable shall not affect any other provision hereof; and this Ordinance shall be construed as if such invalid, illegal or unenforceable provision had never been contained herein.

Section 3. In accordance with Section C3-10, of the Federalsburg Town Charter, this Ordinance shall take effect and be in full force and effect twenty (20) days from and after the date of its final passage and adoption.

Yea/Nay

Kimberly Abner	_____
Debra Sewell	_____
Darlene Hammond	_____
Brandy James	_____
H. Torbert Williamson, II	_____

I hereby certify that the above Ordinance was passed by a yea and nay vote of the Council this _____ day of _____, 2024.

Kimberly Abner, Mayor

Delivered by the Mayor and recorded by me in the Minute Books of the Mayor and Council of Federalsburg this ____ day of _____, 2024.

Sandy Smith, Town Clerk

RESOLUTION NO. 2024-03

Introduced By: _____

A RESOLUTION OF THE MAYOR AND COUNCIL OF FEDERALSBURG
FOR THE PURPOSES OF CREATING A TOWN UNITY COMMITTEE

WHEREAS, the Caroline County Branch of the National Association for the Advancement of Colored People, the Caucus of African American Leaders, Roberta Butler, Sherone Lewis, Darlene Pitt Hammond, Elaine Hubbard, Nikendra Bordley, Ryan Haynes, and Lywanda Johnson (collectively the “Releasing Parties”) filed a Complaint in the United States District Court for the District of Maryland against the Town of Federalsburg (the “Town”) styled *Caroline County NAACP, et al. v. Federalsburg*, Case No. 1:23-cv-00484 (the “Litigation”);

WHEREAS, the Complaint alleged that the Town’s then-existing at-large, staggered-term election system violated Section 2 of the Voting Rights Act and denied Black voters in the Town the ability to participate equally in the political process and to elect candidates of their choice;

WHEREAS, while the Litigation was pending, the Town adopted a two-district election map, with one majority-black district;

WHEREAS, in September 2023, under the newly adopted election map, the voting residents of the Town elected two Black residents to the Town Council;

WHEREAS, on April 3, 2024, the Releasing Parties and the Town entered a Settlement Agreement and Release settling all existing or future claims, disputes, and actions arising from or in any way connected with the Litigation or the prior election system and bring complete resolution to this matter; and

WHEREAS, pursuant to the Settlement Agreement and Release, the Town agreed to establish a Town Unity Committee to focus on community engagement in future elections and matters related to the promotion, engagement, and enhancement of the Town’s diverse community.

NOW, THEREFORE, be it resolved by the Mayor and Council of Federalsburg as follows:

Section 1. An official committee of the Town of Federalsburg, named the “Town Unity Committee” is hereby established.

Section 2. The Town Unity Committee will have at least 5 members, with at least one Town elected official and two community members from each election district. Each member shall have a term of three years, or terminating immediately if the member resigns or no longer meets the required qualifications for membership.

Section 3. The Town Unity Committee will appoint one member to act as a chair for purposes of conducting meetings and one member to record minutes to be provided to the Town office.

Section 4. The Town Unity Committee will:

- a. Focus on community engagement in future elections;
- b. Consider matters related to the promotion, engagement, and enhancement of the Town's diverse community;
- c. Meet quarterly;
- d. Plan an annual multicultural celebration for the Town of Federalsburg; and
- e. Provide annual reports to the Mayor and Council of Federalsburg regarding the Town Unity Committee's activities and community engagement.

Section 5. Membership shall be developed through the following process:

- a. Applicants for membership shall use the appropriate application form available at Town Hall, which includes a request for the applicant's name, address, and a brief description of the applicant's interest in the Town Unity Committee.
- b. Complete applications shall be returned to Town Hall.
- c. The Mayor and Council shall nominate applicants for membership in a regular Council meeting.
- d. The Mayor and Council shall vote on applicants at a subsequent regular Council meeting.

This Resolution shall become effective immediately.

ENACTED this ____ day of _____, 2024.

Yea/Nay

Kimberly J. Abner, Mayor
Brandy James
Debra Sewell
Darlene Hammond
H. Torbert Williamson, III

I hereby certify that the above Resolution was passed by a Yea and Nay vote of the Mayor and Council this _____ day of _____, 2024.

Sandy Smith