

Meeting minutes of Town Council on 6-7-11
As reviewed, approved, and accepted by the Town Council on July 5, 2011
Amended 10-4-11

Mayor Oland called the regular Town Council meeting to order at 7:40 p.m. Council Members Charles Bradsher, Dave Preusch and Dan Prats were present. Council Member Jim Ruspi was absent. The Clerk and Treasurer were present. There were six citizens present.

The minutes of the Town Council Meeting on May 3, 2011 were approved as submitted.

Treasurer's Report: Treasurer Chris Wilkinson reviewed the Profit and Loss Report for the month of May, 2011. Real property tax in the amount of \$1,218 and income tax of \$24,491 brought the total income to \$26,984. Major expenses for May, 2011 were \$1,646 for General Repairs and Maintenance, and \$2,886 for Waste Collection with total expenses being \$11,242. Total General Fund net income for the month of May, 2011 was \$15,742. Looking at the Balance Sheet for the month of May, 2011 the fund balance for the general fund is \$593,389; for the CIP account, the balance is \$179,496. The total fund balance for the Town of Laytonsville for the month of May, 2011 is \$1,278,382.

Council Member Dave Preusch made the motion to approve the Treasurer's Report for the month of April, 2011 subject to audit. Council Member Dan Prats seconded.

Unanimously approved.

Discussion/Action Items:

Swearing in of new mayor: The clerk of the Montgomery County Circuit Court, Loretta Knight, administered the oath of office to swear in Mayor Elect Dan Prats as the next mayor. Mayor Elect Prats signed the oath and was presented a certificate.

Budget Amendments: Treasurer Chris Wilkinson explained that each year we may overspend in one budget area and under spend in another. A concern for the audit is going over budget in expenses. The budget for 2010-2011 was high for some accounts and low for other accounts. Expenses were re-allocated to total the same total expense

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number. Council Member Preusch commented that he did not know that we could adjust the budget. Mayor Oland stated that the charter says that the Council can adjust the

expenses. The adjusted budget figures for 2010-2011 are:

| | | |
|---------------------|--------------------|--------------------|
| Accountant: | Budgeted: \$6,000 | Adjusted: \$6,800 |
| Advertising: | Budgeted: \$1,500 | Adjusted: \$4,000 |
| Dues: | Budgeted: \$1,100 | Adjusted: \$1,500 |
| Pond: | Budgeted: \$1,600 | Adjusted: \$1,900 |
| Miller Park: | Budgeted: \$1,200 | Adjusted: \$1,500 |
| Grounds Maintenance | Not Budgeted | Adjusted: \$12,000 |
| Insurance: | Budgeted: \$1,200 | Adjusted: \$2,500 |
| Land Planning: | Budgeted \$1,500 | Adjusted: \$5,000 |
| Legal: | Budgeted: \$21,000 | Adjusted: \$12,000 |
| Payroll: | Budgeted \$36,800 | Adjusted: \$26,900 |
| Snow Removal: | Budgeted: \$7,500 | Adjusted: \$10,500 |
| Repairs & Maint. | Budgeted: \$8,000 | Adjusted: \$2,800 |

The total expenses for 2010-2011 are \$187,000 which is the same as the original budgeted number.

HDC Appointments: Mayor Oland proposed that Sheree Wenger and Joanne Howes be reappointed to the Historic District Commission for a 3-year term beginning July 1, 2011.

BOA Appointments: Mayor Oland proposed that Frances Hewitt, Richard Whittington and Paul Foster be reappointed to the Board of Appeals.

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Planning Commissions Appointments: The hearing to establish the Planning Commission was held in October. Members will be Eric Wenger, Chair, Charles Oland, Vice-Chair, Brendon Deyo, David Preusch and Pete Stadler. Council Member Preusch will not have voting privileges on the Planning Commission. Frank Bennett declined his position on the Commission. Mayor Elect Prats will swear in the Planning Commission after he takes office in July.

LGIT Resolution: LGIT, who does the insurance trust for the Town, is changing their by-laws with regard to the composition of the Board of Directors. They have advised us that the twelve Board of Directors should be equally split between municipalities and counties. We are asked to provide a Resolution to support the LGIT 8th amendment.

Annual Safety Review: LGIT requires the Town to do an annual safety review. The Town continues to use a quarterly safety review, rotating through the Council members to provide a quarterly safety report. Council Member Preusch is due for a report at the end of June.

Work Session: There will not be a work session on 6/21/11.

Comprehensive Amendments to Town's Zoning Ordinance: Discussion of the amendments to the zoning ordinance was held to the end of the meeting. An email was received on June 6, 2011 from Josh Pomeroy providing some comments on the revised zoning code. Mr. Pomeroy was present at the meeting and asked to present his comments. Mr. Pomeroy's area of concern was that the zoning code was overly restrictive with regard to childcare facilities. The code proposed to allow in home childcare up to four persons in residential area only with a special exception. In commercial and commercial historic zoned areas it also requires a special exception. After much discussion, it was decided to keep the zoning code as a special exception use for up to four persons in all residential areas. In commercial area, childcare facilities are permitted. And in the commercial historic zone, it is permitted for up to eight persons. A special exception is required in the commercial historic zone to allow greater than 8 persons.

Actions:

Council Member Dan Prats made the motion to amend the Town's SubDivision Regulations. Council Member Dave Preusch seconded the motion. **Unanimously approved.**

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Council Member Dave Preusch made the motion to adopt the ordinance to amend the zoning code to add a new section entitled "Site Development Plans". Mayor Oland seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to adopt the ordinance to amend the zoning code to add a new section entitled "Town Planning Commission" to enact a new agency known as the Laytonsville Planning Commission. Council Member Charles Bradsher seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to reappoint Sheree Wenger and Joanne Howes to the Historic District Commission. Council Member Dave Preusch seconded the motion. **Unanimously approved.**

Council Member Dave Preusch made the motion to appoint Richard Wittington, Frances Hewitt and Paul Foster to the Board of Appeals. Council Member Dan Prats seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to appoint Eric Wenger, Charles Oland, Brendon Deyo, and Pete Stadler to the Planning Commission as presented (see trailer) beginning July 1, 2011. Council Member Charles Bradsher seconded the motion. **Unanimously approved.**

Council Member Dave Preusch made the motion to adopt the Resolution for LGIT to amend their by-laws to adjust the composition of their 12 Board of Director to be split equally between municipalities and counties. Council Member Dan Prats seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to adopt the 2010-2011 budget amendments to re-distribute expenses. Council Member Charles Bradsher seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to close the record on the comprehensive amendments to the Town's zoning code. Council Member Charles Bradsher seconded the motion. **Unanimously approved.**

Council Member Dan Prats made the motion to approve the comprehensive zoning ordinance amendments as presented in the Public Hearing of May 3, 2011 with child care revisions to:

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Commercial zone – permitted use

Commercial Historic Zone– Permitted use with 8 persons, special exception for anything beyond 8 persons.

All residential zones – special exception for up to 4 persons

Council Member Charles Bradsher seconded the motion. **Unanimously approved.**

Council:

Mayor Oland noted that 2-3 years ago the Town received notification from the state regarding a program providing support for failed septic systems. One Town resident has recently gone through this process and was approved. Information on this program can be found at <http://www.mde.state.md.us/water> or by calling the Maryland Department of the Environment at 410-537-4195.

Mayor Oland thanked Chris Wilkinson for her efforts to get flowers planted in front of the gas station.

The annual parade, held on May 21, was a success. Mayor Oland thanked Charlene Dillingham and Charlie Kearse for their work to organize the parade.

Mayor Oland thanked the Town Council including former Council Members Frank Bennett and Tom Wilkinson for their time and effort during his term as Mayor.

There will be a pot luck picnic on Sunday, July 10 to thank Mayor Oland and Cathy Buit for their service to the Town.

Council Member Dave Preusch stated that the Town picnic will be held September 17. The first planning meeting will be Wednesday, June 22. Council Member Preusch will serve as chair for the picnic this year.

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Council Member Preusch commented that he was under the impression that the water project would begin in June. Mayor Oland stated that the contractor, W. F. Wilson, was ready to go to work but the paperwork had not been finalized. We are waiting for WSSC to schedule a Town meeting.

Council Member Dave Preusch made a motion that the Town ask Macris, Hendricks and Glascock to provide a scope of work for a preliminary investigation for the south-west Rt. 108 re-alignment. Council Member Dan Prats seconded the motion. **Unanimously approved.**

Comprehensive Plan: Council Member Dave Preusch noted that progress is being made on the Comprehensive Land Plan. Revisions should be presented in July.

Energy Grant: Council Member Dan Prats stated that the Energy Grant had been approved to insulate the basement and attic in the Town Hall.

Town Sign: Pete Stadler stated the town sign on the south end of Rt. 108 is placed on top of a Washington gas line, making it dangerous to work on. WSSC said that they would re-install the sign when they complete installation of the water line. If the sign falls over before that time, it will come to Town Hall until WSSC is ready to install it.

Adjournment:

Council member Dave Preusch made the motion to adjourn at 9:00 pm. Mayor Oland seconded the motion.. **Unanimously approved.**

Respectfully submitted,

Charlene Dillingham
Clerk
June 7, 2011

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These minutes were amended per motion at 8-2-11 meeting to add the words 'as presented' to the motion. These words were spoken in the June meeting but not reflected in the minutes.

Eric Wenger was appointed has chair and Charles Oland as co-chair of the Planning Commission.