



Commissioners of Barclay, Maryland
Brian R. DeMoss, President
William Wallace, Commissioner
Norman Clough, Commissioner
Deborah E. Bowden, Clerk-Treasurer

Minutes
Barclay Town Meeting
December 20, 2017
101 Church Lane, Barclay MD 21607

Present: Brian DeMoss, President
Joseph Clough, Commissioner
William Wallace, Commissioner
Debbie Bowden, Clerk-Treasurer
David Semans
David Taylor
Celeste Franks

Commissioner DeMoss called the meeting to order at 7:03 p.m.

Old Business:

Minutes of the September 20, October 18, and November 15, 2017, Town Meetings were presented. Commissioner Clough moved to accept the minutes. The motion was unanimously approved with no further discussion.

Treasurer's Reports from September, October, and November 2017 were presented. Commissioner Clough asked for clarification on an expense from September for power washing; President DeMoss explained it was for cleaning the town office. Commissioner Wallace moved to accept the Treasurer's Report. The motion to accept the Treasurer's Report was approved with no further discussion.

Public Safety Report – Sheriff's Office – No report.

ORDINANCE NO.: 2017-04 AN ORDINANCE TO AMEND THE ZONING ORDINANCE TO ALLOW DIRECT MARKET FARMING AS A PERMITTED USE IN THE TOWN CENTER MIXED USE AND SINGLE FAMILY RESIDENTIAL ZONING DISTRICTS AND TO PROVIDE SUPPLEMENTAL REGULATIONS THEREFOR; PROVIDING THAT THE TITLE OF THIS ORDINANCE SHALL BE DEEMED A FAIR SUMMARY AND GENERALLY RELATING TO DIRECT MARKET FARMING IN THE TOWN OF BARCLAY, MARYLAND. Public hearing was held. Mr. Semans asked for explanation of the zoning change; Mrs. Bowden provided an explanation. Mr. Taylor asked why it was not specified for Agriculture zoning; Mrs. Bowden explained that selling of crops and produce is already allowed use under Agriculture zoning. Mr. Taylor asked for clarification on the zoning definitions of multi-family versus single family residential districts. Mrs. Bowden will need to research whether the Zoning Ordinance has a specific definition for multi-family district and suggested that adding such a zoning district or use be tabled until full review of the Zoning Ordinance. President DeMoss moved to adopt Ordinance No. 2017-04. The motion was unanimously approved with no discussion.



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Administrator Report – Mrs. Bowden reported on the following:

- Street lighting project update – All streets lights installed, in process of adding one at Classic Tire
- Marvin Memorial Church Building donation – building has been deeded to Town, and in process of gathering information for insurance.
- Open Fires – In response to question from September meeting, open burning is not prohibited under Town ordinance and falls under State rules that allow for open fires in Queen Anne’s County provided there is no nuisance or air pollution created.
- Facility maintenance – Mrs. Bowden will be taking on projects to repair and maintain the Town Office and church building.
- Sewer Project Update:
 - Sudlersville is applying for interim loan from banks.
 - The Maryland Department of the Environmental funding is committed.
 - Sudlersville had to reapply to USDA, so those funds are not committed. As part of the USDA grant re-application, Southeast Rural Community Assistance Project, Inc. (SERCAP) is doing a rate study for Barclay.
 - Once the private and grant funding is underway, an updated Intergovernmental Agreement will need to be negotiated and executed.
 - Mrs. Bowden attended a SERCAP workshop in which she learned the various ways that Sudlersville can recover its capital expense and impact fees. The “System Buy-in” method takes the value of existing infrastructure, divided by available units of capacity (EDU or gallons) potentially the least expensive for the user. The “Growth-Related” method takes the estimated improvement costs of growth related improvements, divided by number of new units to be served potentially the second least expensive for the user. A third option is blending the two methods, which is the most expensive for the user but the best option for Sudlersville. SERCAP is advising Sudlersville to use the “blended” method.
 - According to Chris Benzing with Maryland Rural Development Corp., under terms of the USDA grant, Barclay users cannot pay more than Sudlersville users.

Barclay Sewer Project – Mrs. Bowden suggests that attention to detail be given during negotiations with Town of Sudlersville. The Commissioners may want to bring on an engineering firm or other consultant to review documents. Commissioner Wallace said that an engineering firm that supported the Town of Preston offered to review documents on behalf of the Town of Barclay for free.

Wye Oak Plaque – Mrs. Bowden reported that the Town does have certification of the Wye Oak seedling. President DeMoss will have the plaque to commemorate the tree made.

Trap Hill Ditch / Drainage update – Will continue to work on the project.



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Code enforcement services, discussion on real property tax structure for professional residential rental companies, and discussion on abandoned property surcharge – all deferred and removed from agenda until the Zoning Ordinance review process is underway.

New Business:

Maryland Open Meetings Act compliance - the Maryland Open Meetings Act (the “OMA”) requires a public body to designate at least one individual who is an employee, an officer, or a member of the public body to receive training on the OMA’s requirements. However, effective October 1, 2017, a public body may not meet in closed session unless at least one member of the public body has been designated to receive this training. If the designated member(s) cannot be present at the closed session, the public body must complete a specified compliance checklist and include it with the minutes of the open session portion of the meeting. If the Town’s public bodies have not already designated one or more members to receive training, they should each do so at their next meeting. The designated member(s) have 90 days to complete the training after being designated, but they do not have to have completed the training in order for the public body to meet in closed session. The training can be completed online or through a class offered by MACo or MML as part of the Academy for Excellence in Local Governance. All Commissioners and Mrs. Bowden will take the training.

Charter Update – Mrs. Bowden has been working with the Town Attorney to update the Charter. The suggested changes will be presented at the January or February town meeting. A summary of changes so far is noted below:

- Organized by articles and sections for easier updating
- Removing specific metes and bounds (town boundary) for easier updating
- Updating various references to state code
- Qualifications of commissioners - change from “property owner” to “resident”
- Adding a VP of Commissioners to handle meetings when President is absent
- Changing quorum definition to two
- Add language that if vacancy on Commission within six months of election, leave vacant (not hold special election)
- Changing election board of supervisors nomination to annual and adding that they must select a chairperson
- Adding that clerk can act in lieu of board of supervisors
- Adding that Commissioners can pass a rules of procedure for elections
- Updating voter registration to be 30 days after election through 30 days before election with clerk at any town meeting
- Updating so that if qualified voter in county, state or federal does not have to also register with town. Anyone not registered at county, state or federal can register separately with town for town elections only
- Notice of election outcome with 12 hours (change from 48)



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- Making municipal infractions and misdemeanors penalties uniform (\$1000 or 30 day imprisonment)
- Changing that tax levies go through QAC, not directly from clerk
- Changing that tax sales go through QAC with proceeds going to town
- Adding that town can borrow money through selling municipal, general obligation or revenue bonds
- Changing back that clerk makes all purchases and contracts with final sign off by Commission

Correspondence:

The ESAM Dinner is January 23, 2018.

2018 COG meetings will be held January 10 in Queenstown, February 14 in Church Hill, March 14 in Queen Anne's County, April 11 in Queen Anne, May 9 in Centreville, and September 12 in Sudlersville.

Forest View Trash Service from Townsend, DE sent in unsolicited proposal for trash service for \$21,280.00 per year, which is more expensive than current service at \$13,406.00. Mrs. Bowden responded to Forest View Trash Service that we will stay with current provider.

Public Forum:

Mr. Taylor asked if Christmas decorations will be installed on light poles. Mrs. Bowden noted that Delmarva Power owner Exelon is scrutinizing new banners and decorations on their poles. The current flags can stay on the poles, but no new banners until further notice from Delmarva Power.

Announcements:

The next Town Meeting will be Wednesday, January 17, 2018, 7:00 p.m. at Marvin Memorial Church, 101 Church Lane, Barclay, MD 21607.

Please check the website (barclaymaryland.com) and the bulletin board outside of the Town Office for public meeting and hearing dates, times, and locations, including changes and cancellations.

All Commission meetings are conducted in Open Session unless otherwise indicated. All or part of the Commission meeting may be held in Closed Session pursuant to the Maryland Open Meetings Act and by vote of the Commissioners.

President DeMoss moved to adjourn. The meeting was adjourned at 7:55 p.m.

Respectively submitted by Deborah Bowden, Clerk-Treasurer