

**TOWN OF INDIAN HEAD
TOWN MEETING MINUTES
MONDAY, AUGUST 6, 2018
VILLAGE GREEN PAVILION**

Mayor Paulin called the meeting to order at 7:30pm.

Roll Call

Brandon Paulin, Mayor
Ron Sitoula, Vice Mayor
Curtis Smith, Councilman

Attended By

Ryan Hicks, Town Manager
Andrea Brady, Town Clerk
Ginger Foster, Finance Officer
Karen Williams, Community Affairs

NUMBER OF CITIZENS AND GUESTS IN ATTENDANCE: 30

Minutes: July 2nd Town meeting minutes and July 25th work session minutes. After verifying that requested changes to the work session were made, Councilman Smith made a motion to approve the minutes as presented; Vice Mayor Sitoula seconds the motion. The minutes were approved as presented by voice vote: 3-Ayes, 0-Nays.

Reports of Officers, Boards and Committees:

A. Permits –The permits report for July 2018 was read (attached).

B. Finance Report – The finance report for July 2018 was read (attached).

C. Town Manager's Report – SHA is reviewing the CIA or Concurrence in Award checklist for the Boardwalk project. Online bill pay is available via the Town's website. Please input the information exactly as it appears on your bill. The Town held a meeting with SHA last month in reference to the Village Green Restrooms project and the project will be moving forward. The Youth Enrichment Center project is moving forward with the Town purchasing the old PNC building for \$265,000. The Waste Water Treatment Plant Blower Replacement project is underway, began last month. Demolition is scheduled to being at the old Ely property around this week or next. Information on the proposed 4 way stop at Woodland Drive is being reviewed by the Town's attorney. The potential hold up for the project is if the Town is required to do a traffic study. The Town will be investigating I&I issues all over Town this month. That will include smoke testing and sewer TV and cleaning. Councilman Smith asked if the I&I testing is to address some of the flooding that has happened recently and if the Council will receive a report on the testing. Town Manager Hicks stated yes it is to address the recent flooding both above and below ground and Council will be given a report following completion of the testing. Vice Mayor Sitoula asked for an update on Washington Gas permits for River Watch. Town Manager Hicks reported that Washington Gas has their permit application into Charles County Soil Conservation,

but they are running a little behind on their review due to being understaffed as a result of retirements. There are approximately 20 permits ahead of the River Watch permit.

- D. Code Enforcement Report** – The Town issued 45 notices of violation during the month of July 2018. 18 grass and weed violations, 5 grass and weed fines, 1 rubbish and garbage violation, 3 rubbish and garbage fines, 2 work without a permit violations, 3 inoperative vehicle violations, 5 inoperative vehicle fines, 2 inoperative vehicle citations, 1 rental license violation, 4 premises identification violations and 1 unfit structure violation. No rental inspections were completed in July.
- E. Planning Commission Report** – The Planning Commission approved the preliminary plan for Nammo Energetics Indian Head, Inc. at 4421 Indian Head Highway (Parcel 160 & 161) and discussed the Town’s Stormwater Management Ordinance.
- F. Parks and Recreation Report** – Councilman Smith reported that Senior Appreciation Day went really well and it was held in Pavilion. Many patrons of the Senior Center attended. Councilman Smith reported that minor repairs have been taking place at the Senior Center Facility through the work of members of the Heart Cry church. Parks and Rec is looking to have a senior appreciation clean up day at the facility. All efforts to help supplement the workload for the Public Works department. Councilman Smith expressed thanks to Heart Cry and their members. Parks and Rec will be looking for members in the community to assist with the cleanup day once a list is put together. Big Day of Play will be held on August 25th and this year Parks and Rec is adding a STEAM component. Dr. Avery Posey Jr. will be the keynote speaker and there will be workshops for adults and youth, including how to reduce stress.
- G. Environmental Sustainability Report** – Councilman Smith reminded everyone that the best time for disaster preparedness is when it’s sunny and clear skies and encouraged everyone to check out ready.gov which he said is good site for checklists and strategies to help prepare for possible disasters. Councilman Smith reminded everyone that the Water Quality Report is available and the Town still has good water. The investments made into infrastructure from both past and present Council is really paying off.
- Mrs. Bowie asked Councilman Smith about crafters being added to the Farmers Market. Councilman Smith explained that since its inception, crafters have been allowed; homemade item vendors are able to bring and sell at the market. One such vendor recently won a contest for a kiosk where they can sell their items in BWI airport. Mrs. Bowie asked if crafters are welcome could be added to the paper. Councilman Smith stated yes it would be added.
- F. Bureau of Fire Prevention** – Deputy Chief Wayne Higdon will be giving the report for the next several months because Chief Williams will be teaching classes. For the month of July, the IHVFD had 50 medical calls and 30 fire responses. Deputy Chief Higdon stated that on Thursdays the IHVFD holds drills and meetings and it is a great time to come by if you’re interested in volunteering. The smoke alarm program is still in effect, but it takes time because they have to have a team available to install them.

The IHVFD will be on the Village Green tomorrow night for National Night Out. The IHVFD celebrated 70 years of volunteer service on July 23rd. Councilman Smith asked what the criteria is for the team who puts in smoke detectors. Deputy Chief Higdon explained that it is usually comprised of existing members, and they like to have at least two per team for safety's sake. Mayor Paulin wished the IHVFD a happy birthday.

G. Community Affairs – National Night Out will be held tomorrow, August 7th from 6pm to 8pm at the Village Green Park and Pavilion. The event will include a bike parade and it will be held rain or shine. Grandparents/55 & Older dinner and concert will be held on Thursday August 9th and it will feature the Port Tobacco Pickers Bluegrass band. Anyone is welcome to attend. Back to School Night will be held Thursday August 23rd from 7pm to 9pm and anyone is welcome attend. There will be a backpack giveaway at the event but it is limited to Indian Head Elementary, General Smallwood, and homeschooled children within the Town's limits. The next issue of the Smoke Signals will be coming out the first part of September. Events are also listed on the website and the Town's Facebook page. Ms. Williams thanked the volunteers for their work that makes these events possible. Councilman Smith asked how they deconflict if students are from Indian Head Elementary or General Smallwood. Ms. Williams explained that it is an honor system, no ID is required.

H. Charles County Recreation – No report.

I. Policing Report – Officer Duley stated that the main thing going on right now is thefts from vehicles. Probably close to 8 thefts from vehicles took place in the past two weeks just within the Town and just yesterday approximately 27 vehicles were gone through in Potomac Heights. The Sheriff's Department is actively investigating the situation. Every one of those vehicles was unlocked. They're going from car to car pulling on the handle to find the ones that are unlocked and it is happening between midnight and 5am. Officer Duley reminded everyone that if they lock their doors it will solve about 99% of the problem. Lock your house doors, car doors and windows. You have to secure your property. The next issue of the Smoke Signals will include some back to school safety tips, and how to secure vehicles and property.

Briefings: None

Presentations/Recognitions: None

Resolutions: Resolution 08-01-18 a Resolution appointing Lennae Scott and establishing her respective term of office to the Indian Head Community Activities Committee for a three-year term. Councilman Smith made a motion to adopt Resolution 08-01-18. Vice Mayor Sitoula seconds the motion. Motion carried by voice vote 3-Ayes, 0-Nays.

Resolution 08-02-18 a Resolution appointing Paul Scott James and establishing his respective term of office to the Town of Indian Head Ethics Commission. Councilman Smith made a motion to adopt Resolution 08-02-18. Vice Mayor Sitoula seconds the motion. Motion carried by voice vote 3-Ayes, 0-Nays.

Ordinances: None

Petitions: None

Unfinished Business: None

New Business: Mayor Paulin stated that the Council has received a revised MOU from the MAC in reference to the Nammo project (see attached document). Councilman Smith asked if the lawyer has reviewed the MOU. Mayor Paulin stated that legal counsel has not been sought at this time, but the Town has entered into MOUs previously without legal counsel review. Councilman Smith made a motion to have legal counsel review the document. With no second to the motion, the motion was denied. Mayor Paulin made a motion to approve the MOU. Councilman Smith expressed concern over having approval without legal counsel's review. Vice Mayor Sitoula stated he did not see anything complicated in the MOU and seconded the motion for approval. Councilman Smith stated for the record that he was against approval without legal counsel review. Mayor Paulin asked Town Clerk Brady to call the roll vote, Mayor Paulin – Aye, Vice Mayor Sitoula – Aye. Councilman Smith – Nay. The MOU was approved and will be printed for signature.

Miscellaneous: Mayor Paulin read the upcoming events and meetings for August and September.

Citizen's Comments: Brian Krum, resident of Rivers Edge Terrace, spoke about the water issues they are experiencing within River Watch. Ongoing for many years and would like to address it to the Town for the record. Mr. Krum stated that he has been told previously that it is not an issue on the Town's part. Mr. Krum explained some of the issues the residents in River Watch are experiencing and expressed his opinion on what he feels may be causing the problems. Town Manager Hicks asked for clarification for where the issues exist on the map he pulled up on his iPad and explained that the problem areas are on HOA property, but the Town can work with the HOA to help come up with a solution to the problem. Vice Mayor Sitoula is the HOA president and will work on behalf of the community with the Town Manager. Councilman Smith due to the heavy rains recently there have been drainage issues throughout Town. Town Manager Hicks explained that since the property is in the Critical Area it will have to be discussed with the Critical Area Commission before any steps can be taken and he will speak with them to find out what is permitted as a temporary fix.

Jim Hudnall of the Oxon Hill Bicycle Club thanked the Town of Indian Head for the welcome they give to cyclists, and for the support always given to the Indian Head Century 100. The ride this year will be limited to 1,000 cyclists due to parking limitations. Mr. Hudnall shared information on the route, and the picnic that will be after the ride that is being sponsored by St. James Episcopal Church. Mayor Paulin thanked the Oxon Hill Bicycle Club for continuing to hold their event in Town and thanked town staff for their work with the event. Mayor Paulin also plans to take part in the ride this year, though he may not do the full 100 miles.

Vivian Elder, resident on Mattingly Avenue, asked for clarification on if residents are permitted to burn in a barrel. Town Manager Hicks stated no, residents are not able to burn in a barrel and

there is a burning ban within the Town. Ms. Elder thanked Town Manager Hicks and Town Clerk Brady for taking care of her mother's driveway.

Councilman Smith stated that as a citizen he had a question about the MOU, specifically item #3, which stated "In the event that funding from the Town becomes available, they will revisit their contributions". Councilman Smith asked how much funding should be anticipated. Mayor Paulin explained that if monies become available it will be brought to the Council for consideration. Councilman Smith stated for the record that the Town pays legal counsel to review these types of documents and that is a practice that should be put into place moving forward. Ms. Elder asked from the audience, if the MOU the Council discussed is available online. Mayor Paulin stated it will be posted online for any residents who would like to review the document.

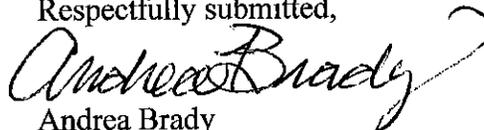
Brian Klaas, Chairman of the MAC, stated that the MOU is strictly a memorandum of understanding; it is not a legally binding agreement. Mr. Klaas stated that the MOU is just a show of good faith as to the agreement between the non profit and Indian Head. Councilman Smith asked why the document is signed if it is not legally binding. Mr. Klaas explained it is signed because it is a show of good faith and the MOU will help with grant applications. Mr. Klaas stated the MOU helps show the MAC is working in the same interest as the Town and just as previous MOUs submitted it is in line with the Town's economic development plans. Mr. Klaas explained the MAC's process with these types of documents, stated that they do not have an attorney review them; they have the board of directors handle the review. Councilman Smith stated the MAC is not responsible for 4,000 citizens and whether the MOU is legally binding or not it is requiring an elected official's signature and he feels legal counsel should be used to review the document. Mr. Klaas explained that he was not stating that the Town shouldn't consult their legal counsel, he wanted to say thank you to the council for approval. Councilman Smith stated, negligence.

Vice Mayor Sitoula – Thanked the Indian Head Volunteer Fire department and staff who responded to his home for a 911 call while he was out of town. Vice Mayor Sitoula then welcomed researches from Nepal who are here studying local governance. Vice Mayor Sitoula stated that in regards to Councilman Smith's concerns, the Town has done MOUs in the past and letters of support as good faith documents and he feels it is about keeping the process moving forward. Vice Mayor Sitoula stated if the Council can't rely on themselves to review a small document as opposed to spending \$250 an hour for legal counsel review, what is the point. Vice Mayor Sitoula also stated that at this time the MAC is providing funding towards the Nammo project.

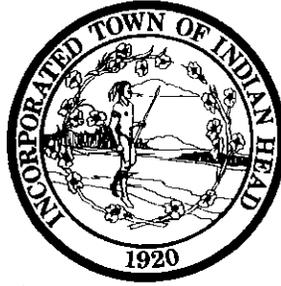
Mayor Paulin made a comment to clarify that two other MOUs in regard to MAC grant funding were signed by council.

With no further questions or comments, the meeting adjourned at 8:15pm.

Respectfully submitted,



Andrea Brady
Town Clerk



Town of Indian Head, Maryland

BUILDING / USE & OCCUPANCY / SIGN PERMITS
ISSUED DURING THE MONTH OF: July 2018

BUILDING PERMITS;

<i>DATE</i>	<i>NAME</i>	<i>RESIDENTIAL</i>	<i>COMMERCIAL</i>	<i>OTHER</i>
7/2/18	Janery Simon 110 Woodland Road			Fence
7/3/18	Liberty Construction for: Paul Vanesse 102 Beecher Avenue			Repairs to SFD damaged by fallen tree
7/9/18	Miguel Burga 4617 Strauss Avenue			In ground Pool
7/11/18	Felder Grant 36 Poplar Lane			Addition to SFD
7/11/18	Felder Grant 36 Poplar Lane			Detached Garage
7/13/18	Dajuan Avery 8 Lookout Drive			Patio (pavers)
7/17/18	Victor Merino 1203 East Raymond Avenue			Fence

USE & OCCUPANCY PERMIT;

No Use & Occupancy permits issued during the month of July.

TEMPORARY USE & OCCUPANCY PERMIT;

No Temporary Use & Occupancy permits issued during the month of July.

DEMOLITION PERMITS;

7/18/18 CMI General Contractors for: 4445 Indian Head Highway, Inc.
4445 Indian Head Highway

Demolition of existing
Building (Ely's)

GRADING PERMITS;

No Grading permits were issued during the month of July

SIGN PERMITS;

No Sign permits were issued during the month of July

TEMPORARY SIGN PERMITS;

No Temporary Sign permits were issued during the month of July

FINANCE REPORT 7/1/18 to 7/31/18

CASH BALANCE JULY 1, 2018 \$328,786.41

REVENUES		
General	22,212.05	
Trash	36,864.10	
Water & Sewer	63,786.00	
Parks/Pavillion	1,825.00	
Land	-	
SUB-TOTAL	124,687.15	124,687.15

LGIP Transfer(s)	7.92	
Money Market Interest	7.92	

TOTAL REVENUES 7.92 124,695.07

EXPENDITURES		
General	(128,208.63)	
Trash	(21,337.89)	
Sewer/Water	(135,769.70)	
Parks/Pavillion	(9,997.41)	
SUB-TOTAL	(295,313.63)	(295,313.63)

OldLine & Blue/Paymentus Merchant Fee(s)	(280.60)	
LGIP Transfer(s)	-	
Check Order	-	
Payroll	(43,525.28)	
Wire Trans FICA, W/H Tax, Sales Tax	(25,073.09)	
SUB-TOTAL	(68,878.97)	(68,878.97)

TOTAL EXPENDITURES (364,192.60)

CASH BALANCE AS OF JULY 31, 2018 \$89,288.88

OLD LINE INVESTMENT ACCOUNTS	
PARK FUND	205,019.64
BOARDWALK	534,433.06
SEWER/WATER FUND	42,197.65
REFUSE FUND	122,402.42
HIGHWAY USER	10,028.85
100 YEAR CELEBRATION	18,051.95
TOTAL OLD LINE INVESTMENT ACCOUNTS	\$ 932,133.57
SEWER BOND (AMERICAN FUNDS)	111,288.86
TOTAL INVESTMENTS	\$ 1,043,422.43

Memorandum of Understanding

THIS AGREEMENT, made effective as of 24 July 2018, is entered into by and between the **Charles County Chamber of Commerce Military Alliance Council (MAC)** with offices at 101 Centennial Street, Suite A, La Plata, MD 20646, and **The Town of Indian Head (hereinafter, Town)** with offices at 4195 Indian Head Hwy., Indian Head MD 20640.

WHEREAS, the MAC and the Town, because of their commitment of providing first class office space in support of the Naval Surface Warfare Center's Indian Head Facility CITE program, have determined they would benefit from a Memorandum of Understanding wherein MAC agrees to support the Town in this endeavor.

NOW THEREFORE, in consideration of the mutual promises hereinafter contained, the Parties agree as follows:

The MAC and Town shall jointly facilitate the relocation of NAMMO's Headquarters to Indian Head, Maryland. This Agreement shall not be limited to the efforts described herein. In consideration of the mutual exchange of promises contained in this Agreement, the Parties agree as follows:

1. MAC will agree to provide funding in the amount of \$35,000 to be allocated towards demolition of the existing building and paving of the property.
2. In return for NAMMO granting the Town of Indian Head sidewalk easements, the Town will cover all Town permitting fees associated with the NAMMO move as allowed by the Town's business incentive ordinance and assist with future grant opportunities for additional funding resources.
3. In the event that funding from the Town becomes available, they will revisit their contributions.
4. To the extent the obligations of a party hereunder require access to defense classified U.S. Government information, that party shall be subject to the requirements of the U.S. Government for safeguarding such classified information.
5. All communications hereunder, including transmittal of data, shall be directed to:

Charles County MAC:

**101 Centennial Street, Suite A
La Plata, MD 20646
301-932-6500**

The Town of Indian Head:

4195 Indian Head Hwy.
Indian Head, MD 20640
30-743-5511

6. This Agreement shall continue for a period of two (2) years unless terminated by either Party. Either Party may terminate this Agreement, by written notice to the other. Notwithstanding the termination of this Agreement, any resultant Teaming Agreements shall continue on and can only be terminated IAW the terms of that particular Teaming Agreement.
7. This Agreement contains the entire understanding between the parties concerning the subject matter hereof and supersedes any previous understanding, commitments, or agreements, oral or written. This Agreement shall not be amended except by a written document executed by duly authorized representatives of both the Town of Indian Head and The Charles County MAC.
8. This Agreement and all amendments thereto shall be governed by the construed in accordance with the laws of the State of Maryland.
9. The Parties agree that the venue for any legal or equitable actions relating to this Agreement shall be the Charles County Circuit Court in the State of Maryland
10. If any term, provision, covenant, or condition of this Agreement is held invalid or unenforceable for any reason, the remainder of the provisions shall continue in full force and effect as if this Agreement had been executed with the invalid portion thereof eliminated.

In witness whereof, the parties hereto have executed this Agreement on the date first above written.

The Charles County MAC

The Town of Indian Head

Signature

Signature

Printed Name

Printed Name

Title

Title

Date

Date