

Town of Perryville  
Work Session Minutes  
March 19, 2024, 6:30 p.m. Town Hall

Attendance: Mayor: Matthew Roath, Commissioners: Michelle Linkey, Robert Taylor, Timothy Snelling, Christina Aldridge, Town Administrator: George Patchell, Town Clerk: Jackie Sample. Event Coordinator: Ashley Hennessey.

The March 19, 2024, Work Session was called to order by Mayor Roath at 6:32 p.m.

**Approval of Agenda**

**Motion** was made by Commissioner Linkey and seconded by Commissioner Taylor to approve the March 20, 2024, Work Session Agenda. **All in Favor: Motion Carried**

**LIVEFORTHOMAS Foundation Request for Pavilion Fees Waived**

Mr. Patchell stated that we received an application from the non-profit organization LIVEFORTHOMAS Foundation out of North East, MD who are requesting to use the park pavilions for a community event and the fees to be waived.

Amy Casio, 22 Main Street, North East MD., is the co-founder and President of the LIVEFORTHOMAS Foundation, which is a non-profit for suicide awareness and prevention. It was established in memory of her 16-year-old son Thomas who died by suicide on July 28, 2019. This year will be the five-year anniversary of his death and we plan to do a community event in remembrance of him on July 27, 2024. This will be to bring the community together with food, music, and mental health and suicide information available.

Commissioner Linkey expressed condolences for her loss and thanked her for putting back into the community.

Mayor Roath stated that we do not vote on it at the Work Session it will be voted on at the Town Meeting, the first Tuesday of the month.

**Board of Appeals Nomination**

Mr. Patchell stated that Georgia Galicki is here tonight who has volunteered to be on our Board of Appeals and will answer any questions you may have.

Mayor Roath stated that he does not have any more questions since we have been through this before.

Commissioner Linkey and Commissioner Taylor thought that she was a good nomination the last time and had no questions.

Commissioner Snelling stated that she has been coming to a lot of our meetings and appreciates that.

**Perryville Little League**

Sabrina Tome, representing the Perryville Little League, stated that they have ordered a new concession stand for the Perryville Park. They would like to move the location to a more central area between the Senior Ball field and the T-Ball field where we set up for Fall Ball.

Commissioner Linkey inquired if they would have two now or replace the one.

Sabrina stated the old one will be storage for the tractors and stuff that usually just sit outside. The new one is similar to the one that is there now, she believes that it is a little shorter, the same equipment just changes the location.

Mayor Roath stated that it seems as if you may want to designate two of the parking spots in the front of it so that nobody can block it.

They responded that you really do not need to take away any of the parking spots.

Commissioner Snelling asked for clarification that it would be on the grass not the blacktop, which was confirmed that it was.

Ms. Tome stated that the opening day is the 6<sup>th</sup> of April, and we are hoping to have it delivered on April the 5<sup>th</sup>, she is not sure when you would vote on it.

Mr. Patchell responded that it would be April 2<sup>nd</sup>.

Ms. Tome explained that we were getting so many complaints about the other location being so far away, so the new location will be more central and should generate more revenue.

Commissioner Linkey suggested possibly adding this to the Special Meeting after this one, she inquired if there was any dirt moving or preparation that needed to be done.

Ms. Tome responded that the company that is delivering it will be doing all of that, blocking it up, etc.

Commissioner Taylor inquired if DPW will have access to this in the off hours.

Ms. Tome responded that they do not need water or anything there.

Mayor Roath believes he is asking about access for DPW in the event of an emergency, he inquired if they have a key to your current one.

Ms. Tome responded that they do, and we do a combination lock.

Mayor Roath commented that we would just ask for the same access that they currently have, which Ms. Tome confirmed would be the same access that they have now.

Commissioner Taylor stated that he would not have any objection adding and voting on this at the Special Meeting tonight if you wanted to. The board concurred.

### **American Legion Post 135 Request for Street Name Change**

Charlie Thomas, representing American Legion Post 135, is requesting a street name change for the road that that continues from Otsego Street across Aiken Avenue to Cecil Avenue in honor of Gregory S. Copenhaver who was killed in action during the Vietnam War, there are no addresses on that stretch.

Mr. Patchell has been in contact with Cecil County Emergency Services and has volunteered to do the necessary paperwork to make this happen if the board decides to rename the street. If they want to move forward it will get voted on at the next Town Meeting on April 2<sup>nd</sup> with a Resolution assigned to it and should have the sign up by the end of April.

### **Hometown Hero Banner Program- Ashley Hennessey**

Ms. Hennessey stated that she has created a hometown hero banner program for those that have served in the armed forces. She has put some applications in the back for anyone interested in signing up for the program. We want to honor our veterans of the past, present, and future. It will be similar to the banners that are put up for the seniors, when they take them down then these will be put up through Veterans Day, then the holiday ones will be put up. Right now, this is a grant funded program so you would not have to pay for the banners, we do accept donations in case we do not have that grant funding in the future. It would be a one-time application process, and we would keep the banners and put them up each year. We met with Rising Sun, and they have been really successful with their program. It will depend on how many applications we get whether they will be double-sided or one-sided. Right now, if we get all of our applications by June 30<sup>th</sup> to meet our deadline, we will just need a picture that we can scan, or you can send it to us digitally.

Mr. Patchell was hoping that Charlie would have stayed because he would like to tie the American Legion into this program because they would have access to many veterans and leverage their mailings to get the word out to as many as possible.

Ms. Hennessey commented that this will be for Perryville residents, not necessarily in town limits.

Mr. Patchell stated that we are also going to honor those that were killed in action with a different color banner, and he has started collecting some of those photos already. This will not need to be voted on at the Town Meeting, it was just to get the information out.

A resident in attendance asked where we would get the forms.

Ms. Hennessey stated that they will be on our website, and she has some available in the back of the room and she could email copies as well.

Mr. Patchell commented that we will post this on Facebook and work with the American Legion to get this information out.

Commissioner Snelling asked if they will be displayed throughout town, which Ms. Hennessey responded that they would.

Mr. Patchell stated that there will be three different types of banners throughout the year, the Senior Banners that will go up sometime in May and will be removed in August, then the Veterans signs will be put up through Veteran's Day, then the holiday lights would go up when the Veterans signs are removed.

### **Comcast Franchise Agreement**

Mr. Patchell stated that we have the Comcast Cable draft Ordinance as well as the draft franchise agreement to provide comcast services within the town limits. They bid on the outskirts of town and down Aiken Avenue, which is a state road, putting in their cables to provide residents Comcast. This is a non-exclusive franchise agreement since we already have Breezeline in town, this will provide our residents with another option.

Commissioner Taylor commented that they are currently not everywhere in town he asked if this would require them provide service everywhere in town.

Mr. Patchell responded that it will not, they can only go a certain distance according to their structure, because the railroad will be a difficult area to maneuver, but they will be in different parts of town.

Mayor Roath mentioned that this was sequenced so that Breezeline was locked in knowing that everyone would have access to their service and knowing that Comcast was not intending to do the entirety of town addressing that concern. He would guess that we are comfortable with the language.

Mr. Patchell commented that it was reviewed by our Town Attorney and some adjustments were made to satisfy our attorney.

Commissioner Taylor is concerned that the areas where Breezeline and Comcast are both located the rates will be more competitive and the areas that do not have both will not be competitive.

Mayor Roath said that is a fair concern but does not think that they are that granular with their rates.

Mr. Patchell responded that he cannot answer that but knows that some of the residents have Comcast along Aiken Avenue because it is a State Road, and the lines were put there which we do not have control over.

#### **Perryville Volunteer Fire Department Knox Box Discussion- Fire Chief Brad Willis**

Fire Chief Brad Willis was requesting that the town consider a Town Ordinance or Resolution to require Knox box access for the Fire Department for any type of commercial structure built from the point of inception going forward as well as multifamily dwellings and that any reconstruction that would be done that would constitute 51% or more reconstruction fall under this Ordinance. The purpose of the Knox box is to allow us rapid access to a structure and it is digitally secured and is run by the County. We assign pin numbers to each individual person, so that we know whoever accesses the box which is date and time stamped and is a very controlled and secure system and allows access to areas that we may not normally have access to when necessary. He explained how the system works.

Mayor Roath inquired if his request was for new commercial construction.

Chief Willis responded that it is for new commercial construction and multi-family, or 51% renovation. A lot of single-family homes that are being purchased are being turned into multi-family homes and in some cases the residents have medical needs and if they cannot get to the door, it would otherwise cause us to have to break down the door to get in.

Mayor Roath inquired about a multi-commercial unit, something like the Cedar Corner business building.

Chief Willis responded that they would have one box and all of the tenants would have to provide a key. It would be the responsibility of the overriding manager to get the keys from the tenants and provide them to us. It would not be one for each tenant, which is usually only if there are multiple apartment buildings in a complex, that you would have one for each building. There are a couple of different sizes available the 3200 is the one that is mostly used and costs around \$600, which varies sometimes based on the market. The 4400 is around \$800 which holds more keys.

Mayor Roath commented that this is not a significant financial burden for any new builder.

Commissioner Linkey asked what he was referring to when he was talking about multi-family if he is talking about a duplex or apartments.

Chief Willis commented that when they talk about multi-family, they refer to it as multiple families living in one structure. A duplex is technically considered two structures although it is under one roof. It would involve any house that has multiple apartments inside of it, or an apartment building itself or a hotel is also considered multi-family.

Commissioner Taylor believes our zoning describes hotels as commercial. Commissioner Taylor thought that we had already done this but, apparently, we have not. He believes that we should just have this Ordinance drafted and add it to the required building code for new commercial and multi-family properties and any reconstruction of more than 51%.

Ms. Galicki asked about multi family dwellings, and if that was the plan to notify the owner and get the keys for existing dwellings.

Chief Willis responded that if you are a preexisting dwelling prior to this ordinance being enacted and have not had 51% reconstruction you would be excluded from the requirements.

Ms. Galicki questioned if you wanted to be included anyway if that is an option.

Chief Willis responded that we are capable to include you and order it and get it secured and verify the keys and label them and lock them up in the box. We just had a very successful one at 231 Roundhouse where they are a three-story condo building had one installed where their elevator control room is in their parking garage and one at their front door. He asked Mr. Patchell to scroll back to discuss ones that they have for gated communities, which we do not have right now, but he would like to get that language included for the future.

Mr. Patchell asked Chief Willis to meet with him on Thursday to discuss what he would like to be put in the code.

### **Frenchtown Crossing Sidewalk Survey and Analysis**

Mr. Patchell explained that Mr. Sussman, the Town Attorney provided some guidance at the last Town Meeting, and it is back on the agenda tonight to get some guidance from the board on the direction that they want to go with regarding the sidewalks.

Mayor Roath commented that he would tend to agree with Ms. Galicki, that this has probably been more complex than it needed to be. If and when the HOA decides that they need to replace their sidewalks they can reach out to us to gain access to our property and be able to replace their sidewalk in a timelier manner, we could sign off on an easement. He commented that the precedent has been set and they have already replaced some of their community areas.

Commissioner Linkey commented that according to our attorney half of the sidewalk is ours.

Mr. Patchell responded that it varies, but that there is a portion of the sidewalk that falls in the town's right-of-way.

Mayor Roath responded that does not mean that we are necessarily responsible for them.

Mr. Patchell believes that we are responsible for a portion of that sidewalk repair. The question is how we are going to do it, if the town were doing it, we would have to have access to the entire sidewalk and vice versa.



Mayor Roath stated that since we have a list of about ten other sidewalks throughout town that need addressed that this would not be beneficial for the residents of Rustic Court to wait for that list to be done.

Commissioner Linkey responded that as of now the sidewalk does not need to be replaced because it was recently replaced and that it was stated at the last meeting that it would not mean that they would go to the top of the list, it would be what our priorities are and what needed to be done.

Mayor Roath stated that it was the common area that was replaced not the sidewalks.

Carolyn Brown, 601 Rustic Court, responded that the common areas still belong to the HOA according to the survey so that is not the part that the town would be responsible for anyway, which were replaced. She explained that the part that we asked the town to take ownership of is not the common area as Fred had explained that the first four houses the town is responsible for all of the sidewalks in front of those houses and the right-of-way, but as you go through the neighborhood the line is not straight so in some instances the town is responsible for everything, from one foot in front of each home up to three feet. What she heard from what Fred recommended from the last two meetings was that the town should go ahead and except responsibility for the entirety of the sidewalk.

Mayor Roath responded that was not what he heard at all.

Ms. Brown responded by saying the reasoning was because if not and something had to be repaired then the cost would have to be shared between the owners and the town and because it is not the same in front of each home that makes it very complicated. What we heard from Mr. Sussman was that each homeowner would work directly with the town to create an amended deed or new deed and take full responsibility for the whole thing.

Mayor Roath stated that was not what our lawyer said, he gave us two different options on how to reconcile this, he did not suggest that we should or should not take ownership of any of it.

Ms. Brown stated that what she heard of the second option was if the town were to make a repair, they would contact the homeowner directly and ask the homeowner permission to make that repair and in that case the homeowner could say no.

Mayor Roath asked George to give his assessment based on his conversations with Fred.

Mr. Patchell responded that his take on it is that he was talking about acquisition and provided us two options for acquisition. If the town was to take ownership of the sidewalks, then the town should be the administrator of all necessary paperwork with the homeowners. He provided two options, one option is if the town is interested in acquiring the sidewalks, then each homeowner would have to agree to the town taking over each parcel and sidewalk in front of their home. Option two is for homeowners that may not be interested in the town taking ownership of their sidewalk/driveway in front, then we could do it on an individual basis.

Commissioner Linkey responded that as far as who plans to pay for it or how it is paid for has not been negotiated yet with the HOA.

Mr. Patchell responded that what will determine that is if the town plans to acquire the sidewalks you will be responsible for essentially 100% of the maintenance, and all of the homeowners would have to agree, which is option one. Option two would be if you take ownership of the sidewalk on each individual property owner, and one house could say they want the town to take ownership of the sidewalk and the next neighbor say that they do not. Option one is if you take complete ownership of them, and all

of the owners must agree to the fact that the town would administer the maintenance of the sidewalks moving forward.

Commissioner Linkey still thought there could be cost sharing for the sidewalk.

Mr. Patchell responded that the cost sharing could be up to the town after you acquire them, that would be part of the overall agreement that you would have to reach with each individual homeowner and HOA.

Mayor Roath stated that the cost estimate towards that adding to the time and effort and money that we have already invested into this could get into six figures before replacement.

Mr. Patchell is not sure but is estimated at around \$46,000 just for the administrative side, not including the cost already spent.

Commissioner Linkey asked for clarification that even if they wanted us to take that over would not mean that we would have to pay for all of that administration fee either, George responded that is correct.

Commissioner Linkey responded if we did decide to pursue this we would have to meet with the HOA and come up with who is going to pay for it as far as the administration fee, or with option two we would still have to come up with who is going to pay for the administration fee. Either way we could still figure out who is going to replace the sidewalks and do a cost sharing. That is the way that she understood it with Fred, if we could do it all at one time, it would be more expensive to do but would be one and done. The second option would be less money but more individual with the cost for administration would still be negotiable, as far as the sidewalk would be negotiable as far as percentage.

Mr. Patchell replied that the cost sharing would have to be something worked out with the HOA or each individual property owner. It would be a question for Mr. Sussman if the HOA can speak for each individual property owner because the homeowner owns the sidewalk, not the HOA. He explained that it would basically be how much each individual homeowner is willing to pay of their share, you could require each individual property owner to pay 50%.

Commissioner Linkey responded that option one would be off the board if one of them were not agreeable for us to take over ownership, even if it is by one owner.

Mr. Patchell responded that from a DPW standpoint or administrative staff logistically you would want to have it all or nothing. If not, unless you keep very good records, fifteen years from now you would not know who paid for the sidewalk to be repaired and who did not, it would be the potential for confusion.

Commissioner Linkey commented that what she was stating was that option one would have to be all or nothing or that would not be a valid option, leaving us with option two.

Mr. Patchell responded that is correct, which would lead to administrative difficulties for the town.

Mayor Roath asked Ms. Brown what the urgency was, if they have \$40,000 or \$50,000 sitting around to get this done now since you said the sidewalks do not need to be replaced.

Ms. Brown responded that we have been doing this for about eight months now.

Mayor Roath responded that is correct and the changes have not changed, he asked what the urgency was to spend money from the HOA.

Ms. Brown responded that the money would not be coming from the HOA the homeowners would be paying individually, the deed would have to be done directly with each of the homeowners.

Mayor Roath questioned if each of the homeowners had agreed to pay up to \$1,000 each to decide if they are going to pay half of their sidewalk replacements.

Ms. Brown commented that before a cost can be figured out the board needs to decide on which process they are going to take.

Mayor Roath commented that she did not answer his question on what the urgency was.

Ms. Brown responded that the town has dragged this out for a long time, and was a mistake made by the town and the county fifteen years ago.

Mayor Roath asked if she was stating that the developer had nothing to do with it, which she responded that they absolutely had something to do with it.

Mayor Roath commented that you have sidewalks that do not need to be replaced, questioning the urgency once again.

Ms. Brown is asking the town to correct a mistake that was made when this development was built and would think that moving forward that the board would make some change to the building code so that any more upcoming developments built would not have this happen again.

Mr. Patchell responded that our existing code handles the situation that the town will not have ownership of the sidewalks moving forward, it will be the HOA or the individual property owner.

Ms. Caple, 504 Rustic Court, stated that the urgency is that we need to solve this because we do not need the sidewalks right now, we need a solution for when they do need to be replaced.

Mayor Roath noted that every conversation seems to be that both parties have financial responsibility.

Mr. Patchell explained that when this was initially brought to our attention you all were concerned with recent legislation that had been passed by the General Assembly forcing HOA's to look at some of their sidewalks as well as their stormwater management ponds. Which if they did not meet a certain standard, it was a direct correlation on the amount of money that you need to charge your homeowners to cover any potential liability for your Homeowners Association.

Ms. Brown responded that was definitely one of the reasons.

Mr. Patchell commented that your HOA fees would be too large for some of your homeowners to be able to pay monthly.

Commissioner Linkey stated that at this point in order to know if it is option one or option two, or no option at all, with option one we would have to know if every single person would sign off on it.

Mayor Roath responded that they provided us with a survey before and that did not have that.

Ms. Brown responded that we provided a petition.



Commissioner Linkey inquired if everyone had signed off on it, to which Mayor Roath responded they had not.

Ms. Brown feels that this has been dragged out long enough.

Mayor Roath responded that a yes or no response would be a good way to not drag it out.

Mr. Patchell relayed what he feels should be the next step which would be if we have the consensus from all of the homeowners in the development that they would be willing to do the administrative task of signing over their rights for their sidewalks in front of their homes. He cannot speak for the board but thinks that piece mealizing those sidewalks would be a difficult task for our administrative staff.

Mayor Roath stated that we need to talk about the petition itself and who is going to go out and survey these properties. We already had a survey and did not get 100% on it anyway. If need 100%, how can we properly depend on the HOA to communicate what is and what is not on this.

Mr. Patchell responded that he could have the HOA provide him a copy of the survey that is going out to the residents and pass it along to the board and if you have suggestions or are ok with what is provided or need to make changes let him know and he will contact the HOA.

Mayor Roath asked who the HOA President was and did not get a response.

Ms. Caple responded that we could do that.

Mayor Roath stated that we cannot have residents believe that we as a board are going to go out and just randomly take over ownership and financial liability for your responsibilities.

Ms. Caple said to let us know what you want on the survey and we will walk around and get the signatures of each resident for the survey.

Mayor Roath's concern is that the residents are not being properly educated as to what the challenges are.

Commissioner Linkey, speaking for herself, would not see the town taking on 100% of the cost.

Ms. Brown questioned if she meant the cost for the deeds.

Commissioner Linkey responded the cost for maintaining those sidewalks, she does not see the town doing it 100%, she thinks it would be a cost sharing for the maintenance.

Mayor Roath stated that we will have to address this the next time and is sure that it will continue to be on our agenda. Mayor Roath commented that this needs to be communicated with the HOA President, the person that holds the responsibility toward this to make sure that she understands what we want on this petition and making sure that it is not brought back to us until this is 100% signed off on.

Ms. Brown asked George to come up with the wording that he would like to see put on the petition, which he responded that he would.

### **BGE Tower 179 Laydown Area at Broad Street Agreement**

Mayor Roath has communicated with our board and BG&E that we still have conversations and negotiations with AMTRAK regarding their project and how it will affect our community, so he is requesting that we table this issue until next month, the board concurred.

## **2024 Election Location**

Mr. Patchell commented that we reached out to our current Election Board to see if they would be ok with holding our upcoming Election at the Perryville Middle School rather than Town Hall and the answer that we received was yes, they would be fine with moving the Election to Perryville Middle School on May 14<sup>th</sup>.

Commissioner Linkey inquired if you were able to talk to the Middle School and if they were able to accommodate our needs.

Mr. Patchell responded that he had and that he signed the contract with Middle School, and they provided him with some guidance and that Jackie, and he will be taking a tour of the school in the area that they will be providing for us prior to the Election sometime in April. The easels have been purchased which designate where the election place will be in the Middle School outside the door area, and we also have signs going around downtown indicating the Election location etc.

## **Discussion Campaign Finance and Campaign Material- Town Charter Article V Section C5-15**

Mr. Patchell made note that Mr. Sussman had some comments in the Executive Section of your content. In the Charter that you adopted in 2022 Article V Section C5-15, it outlined that the town would follow provisions in the State Election laws regarding campaign finance and campaign materials and how they apply to the Town of Perryville Election. The State law was comprehensive and complex so regulations that are keyed into County and State Elections are not for Municipal Elections, which he read directly from Mr. Sussman. Substantial effort would be required to convert the State system of campaign finance and campaign materials to a system that would be practicable to implement for a Perryville Municipal Election, considering the timing of the Elections. After the Charter Amendment was adopted, the town did not undertake the task to determine how the State campaign finance and materials regulations could be practicably implemented in Perryville. I had expressed concern that there is insufficient time to undertake a thoughtful analysis and revision of State campaign finance regulations to make them applicable to the town prior to the town's upcoming May 14 election. Fred's recommendation is to bring this matter to the Mayor and Commissioners, and if they concur with your assessment that it would not be practicable to utilize campaign finance reporting and materials regulations for the upcoming election, the Mayor and Commissioners should consider entertaining and adopting something like the following motion. He explained that this was brought up because when we looked at the overall Charter, we noticed that this campaign finance section was adopted by the town when we went through all of the Charter Amendments back in 2022. When we looked at the State finance requirements, not only does the State not monitor municipal elections, but the overall forms to be completed and administered by our office are too complicated. Also, with it being such a short period of time if we were going to adopt something that is more suitable or simplistic for the town, it is something that the town would have to implement and administer and put it in place for the upcoming May 14<sup>th</sup> Election. What Mr. Sussman is suggesting and what is in Section C5-15 is that provided that it is to the extent that it is practicable, and in his view it is not practicable for us as a town staff to administer any kind of campaign finance regulations or forms for monitoring given the close proximity to the town election. We would need some guidance on what those forms would look like and how they would be administered even if done in a more simplistic form.

Mayor Roath commented that it is not realistic for the candidates at this point anyway.

Mr. Patchell stated that this is something that the State Election Board does not get involved in, Municipal Elections.

Mayor Roath responded that was also what they shared with him.

Mr. Patchell commented that the suggestion would be if we decided not to follow the current Charter regarding the campaign finance section, that we later revisit this section for any modifications or amendments necessary to make it fit the town's municipal elections.

Commissioner Taylor understands Mr. Sussman's concerns but we voted to change the Charter and he does not believe that we have the legislative authority to make a vote to not comply with our Charter for one specific election.

Mayor Roath responded that we voted for a thing into our Charter that could not be obtained.

Commissioner Taylor stated that our Charter says that we will follow MD Election Law, as an example under the MD finance law any person that spends more than \$5,000 must register a political action committee or campaign committee, which seems pretty straight forward and the MD Election Law is readily available on the MD Election website. He does not see how we can just say that we are not going to follow our Charter. We either must amend the Charter or get advice from Mr. Sussman, I do not think we can just say that we are not going to have an election as an example. We cannot say that it is very complicated, so we are just not going to follow the Charter for this election.

Mayor Roath responded that it says that it is not practicable at this point, which Mr. Patchell responded is what is says in the Charter.

Commissioner Taylor does not believe that the legal advice that it is not practicable for a town to follow its own laws is one that will stand up in court.

Mayor Roath questioned if he does not think that our legal advice about this legal specific issue would hold up.

Commissioner Taylor knows what he is saying but does not agree with what he said about it is not practicable, so you do not have to follow it. If it is not practicable then he should have given us that advice when we passed it.

Commissioner Aldridge commented that it is so vague, we need specific details.

Mr. Patchell responded that he will ask Mr. Sussman to provide something in more specific details, if that is not the case then we will have to follow the MD. Election laws and file the necessary campaign paperwork.

## **HELP USA PHASE II MOU**

Mayor Roath inquired if we had gotten a response or comment from Fred on this.

Mr. Patchell stated that we have not. This MOU is an amendment to the original MOU for Phase I.

Mayor Roath commented that this is actually less than what the original MOU was even though there have been numerous conversations about the multitude of different values that the community is going to receive in this next phase.

Mr. Patchell responded that is what it appears to be. In Section 2, the second bullet, compensation for any services that the Town of Perryville may provide to the Perry Point Veteran's Village and its

residents, HELP agrees to pay to the Town of Perryville the sum of \$10,000 annually, for each of Phase I and Phase II of the Perry Point Veterans Village.

Mayor Roath responded that is it, it does not mention anything about electricity to our park or any of our other discussions that we have had including taking care of their additional I&I issues. He does not see how we can even entertain this MOU at this point.

Mr. Patchell suggested that the board take the time, review the MOU, and offer any suggestions or modifications to the agreement, and he will put it back on the Work Session for April.

Mayor Roath suggested including the two things that he mentioned or language to include those two things, whether it is the \$300,000 that they offered themselves or the additional assistance in grant writing to fund the entirety of the project, plus addressing I&I throughout the entire campus, he thinks \$10,000 is too low. He asked if anyone has another number or can share the rationale behind such a small number on this agreement.

Commissioner Linkey asked for clarification that this agreement is between the Town of Perryville and HELP USA not the VA.

Mr. Patchell stated that is correct.

Commissioner Taylor does not understand the relationship between HELP USA and the VA and Perryville, and why we are signing an MOU with an organization that does not own the housing that is going in there.

Mayor Roath responded that they have a 100-year lease.

Mr. Patchell stated that there is a location for HELP USA to sign this agreement along with the VA and the County.

Mayor Roath stated that this agreement does not encompass the conversations that we have had with them for the last twelve months, so it really needs to be amended.

Commissioner Snelling asked where the \$10,000 figure came from.

Mr. Patchell stated that number was on the original MOU for Phase I, so this is just a continuation of that.

Commissioner Linkey inquired if HELP USA needs this MOU.

Mr. Patchell responded that it strengthens their position on building those seventy-six homes given the fact that we provide the sewer.

Mayor Roath reiterated that this MOU is with HELP USA, the VA, the County, and the town, and without this agreement they cannot get funding.

Mr. Patchell commented that this is really a funding issue for them, and it is for everyone to come together as part of the project to provide unity and support for when they go to get funding and final approval for the project.

Commissioner Aldridge asked when this was signed.

Mr. Patchell believes that it was 2015. He stated that he will send out an email to the board members to see if there were any changes that they would like to see and will include it in the April Work

Session for further discussion. He does not believe that the County is able to sign right now or did not indicate that they were going to sign this agreement.

Mayor Roath commented that they will not sign before us. Mayor Roath commented that he does not want to cut the other board members opinions out of it, but is hesitant on adding any additional requests to it since he and George have been negotiating with them for the past twelve months and have had some indication on what some of the verbal agreements have been.

Commissioner Taylor encouraged him to try to get the things in that we want to get from the VA, and he knows that you have had discussions and with them and verbal agreements, but we have had discussions and verbal agreements with the VA as long as he has lived in this town and they never put the words on the paper and sign it, they say that they are going to do something and when the agreement comes through they don't.

Commissioner Aldridge is not sure what you are talking about, seeking support from the board members.

Mayor Roath responded that it is about the things that he just mentioned being put into the agreement and if there were any objections to those requests.

Commissioner Aldridge commented that she has not been included in any of the conversations to do with this from the beginning to now she will not be voting on anything regarding it.

**Motion** was made by Commissioner Taylor and seconded by Commissioner Aldridge to adjourn the March 19, 2024, Work Session at 7:46p.m. and go into a Special Meeting. **All in Favor: Motion Carried.**

Respectfully submitted,

A handwritten signature in black ink that reads "Jackie Sample". The signature is written in a cursive, flowing style.

Jackie Sample  
Town Clerk



