

**ROADS BOARD OF FREDERICK COUNTY**  
**MEETING MINUTES FOR MONDAY, JUNE 5, 2017**

**~Approved~**

Present were Roads Board members: Peter Pearre, AIA, Chairperson; Paul Fitzgerald, AIA, Vice Chairperson; Steve Haller; John Thomas; and Kirby Delauter, Councilman District 5.

Also present were County staff: Charles Nipe, Director, Division of Public Works; Robert Shen, P.E. Department Head, Department of Engineering and Construction Management; David Ennis, P.E., Department Head, Department of Highway and Facility Maintenance; Mike Ramsburg, Maintenance Section Supervisor, Office of Highway Operations; and Jason Stitt, P.E., Chief, Office of Transportation Engineering; Michael Chomel, Senior Assistant County Attorney; David Stonesifer, Manager, Office of Highway Operations; Dave Olney, Project Manager, Office of Transportation Engineering.

*(Official minutes of the Roads Board meetings are kept on file in the Department of Engineering and Construction Management. To view agendas, approved meeting minutes, and video recorded Roads Board meetings, visit the County's website at [www.FrederickCountyMD.gov/roadsboard](http://www.FrederickCountyMD.gov/roadsboard))*

**I. CALL TO ORDER AND PLEDGE OF ALLEGIANCE**

- A. The Frederick County Roads Board met on Monday, June 5, 2017, at 7:00 p.m. for their quarterly public meeting. The meeting is located in the second floor meeting room of Winchester Hall, 12 East Church Street, Frederick, Maryland. The meeting was called to order by Chairperson, Peter Pearre and was followed by evacuation instructions and the recitation of the Pledge of Allegiance.
- B. Introduction of the members of the Roads Board was led by Mr. Pearre. Mr. Shen introduced the County staff members.

**II. PUBLIC COMMENTS (At 00:13:05 of the video)**

Public comment was heard from:

- A. Sally Fulmer, 323 South Market [\(At 00:3:30 of the video\)](#) She is a previous member of the Watershed AD HOC Committee and has organized cleanup for the last 4 years at Left Fork, Right Fork and Fishing Creek. Stats and pictures were provided for 2016 and she stated she is in agreeance with the City gaining control of the Watershed. She hopes that in 2018 she will be working to organize an educational event instead of trash clean up.
- B. Carl Hilsman, 10634 Gambrill Park Road [\(At 00:5:47 of the video\)](#) The access to the public land drew him to move back to Frederick and he spends a lot of time in the area. Closing Delauter Road will create issues on an egress and ingress perspective since it is a major access point. He sees it more as an enforcement issue rather than closing down access.
- C. Jane Cogswell, 9640 Gambrill Park Road [\(At 00:7:51 of the video\)](#) Recently moved here for retirement. The dirt roads and the mountains drew her in. Collects things with her grandson for crafts and biology project as well as trash. Concerned about the access if gates are installed and understands individuals can apply. Thinks that if they are installed anyone with land should be granted access to that area automatically.

- D. Art Cogswell, 9640 Gambrill Park Road ([At 00:9:34 of the video](#)) He moved here for retirement but has been in the area hunting and fishing since 1976. Enjoying nature. Not being able to drive his vehicle is the issue, putting up gates and limiting access is changing his way of life. The commercialism of Frederick is not what they want. Denied access and having to apply for the freedom is disastrous and pleas for the board to reconsider. If it's the trash cleanup, himself and other members of the community, that area not present at the meeting, would be more than happy to volunteer.
- E. Tom Lupp, 9640 400 Fairview Ave ([At 00:12:41 of the video](#)) He has worked in the Watershed for State Agencies for 39.5 years but also uses it recreationally. The gate issue is going to cause more problems than solve. What if someone gets stuck on the other side of the gate? Also, the AD HOC gets others to visit from other counties, what happens if it's gated for these out of Frederick visitors. He does not suggest that the City propose gating for any of the road.
- F. Susan Hanson, Poffenberger Road ([At 00:15:12 of the video](#)) The counties inventory with decrease 20% if the watershed is transferred. These roads offer rare opportunities and is sorry to lose them.
- G. Judy Briley, 11432 Rum Springs Road ([At 00:16:24 of the video](#)) She has been on the mountain for 39 years now and is on the fence with the transfer. Has some questions; If she applies can she be turned down, the cost, renewing, emergency vehicles access? Trout stream is state stocked, will the fishermen know they will need a swipe card? A lot of hiking trails, Hood College has cameras for a research study, so trails do get a lot of use. Who is taking it off of GPS/Maps?
- H. Vincent Scimone, 2105 Infantry Drive ([At 00:19:47 of the video](#)) Up at the watershed 2/3 times a week, a cyclist. He questions where would they park and how will you filter who gets in and out? Overall he is opposed and wants it to stay open. Take funds to put up cameras.
- I. Kurt Grauf, 12230 Shoemaker Road ([At 00:21:35 of the video](#)) Has been in to argue this before and argues that road needs to stay a rural road indefinite. What are we going to do to the roads, who authorized it, where are the funds coming from and why even do it in the first place? These questions were not addressed in the letter that he received May 9, 2017. The County doesn't have a right to enter his property. The law says that if the roads have not been widened in the last 30 plus years the property reverts back to the property owner. Trees and buds are being cut that are his and he planted. Again, the County does not own his land. He wants to know exactly what we plan to do on Shoemaker Road. Hopefully his concerns are addressed.
- J. Pam Burke, 9233 Bessie Clemson Road ([At 00:24:32 of the video](#)) Her husband and she own a small organic farm. She is here concerning the activity by DPW. They have widened the road to 18 ft. wide. The residents have noticed increase speeding and since her farm is bisected by the road it's hard to operate safely do to the visibility and the excess speeds. No one complained or asked for the widening. The only explanation is that two cars coming together, had to move off the road slightly, resulting in failed edges and ruts. They have asked to have it reduced back to 14 feet and it was denied. So she is here for the other roads in the future. Some roads need to be maintained not just for vehicles.
- K. Julie Whitehair, 254 East Eighth Street ([At 00:31:50 of the video](#)) Her husband and her relocated to be close to the Watershed. They bike and spend time every week. They also work with the City to maintain and build trails. The trash left behind is disheartening. There are times were she is riding and she has to pass a car full of people and its intimidating having to

pass them, not sure if they are drinking or doing drugs but they are not there to enjoy the watershed. A lot of jeeps mud bog and disregard the barriers and tear it up. She asks for limited access to the roads or increase enforcement for those that want to enjoy the resources.

III. **OLD BUSINESS** **(At 00:33:55 of the video)**

- A. Approval of minutes of March 06, 2017:  
Mr. Thomas motioned to adopt the March 6, 2017 minutes and was seconded by Mr. Fitzgerald. Motion carried.
- B. Update of Rural Roads Program: (Jason Stitt)  
Mr. Stitt advised that there is no change at this time and asked to leave off of the agenda until there is something to report.
- C. Frederick City Water Shed: Frederick City Watershed Road Transfer (Frederick City Staff Presentation) **(At 00:34:59 of the video)** Zach Kershner, Director of Public Works; Jenny Willoughby, Sustainability Manager; Marc Stachowski, Deputy Director of Public Works were presenting for the City.
- Mr. Kershner advised that the City is requesting the transfer of ownership over to the City so that they can better manage access to the Watershed. They have spent the last 2 years developing a masterplan and one recommendation is to make the transfer to the City.
  - Mrs. Willoughby advised that the trash collection consisted of 3,840 pounds during a half day collection this past year. There is also City staff collection once a month as well. Concrete barriers were installed as well as cameras to assist in disseminating off road vehicle use as well as ATVs and dirt bikes. The watershed is a water supply for the City but it houses 22 threatened and endangered species as well in its wildlife management areas. Hunting and fishing is allowed and they do not anticipate stopping these activities, it's an agreement that they hold with the state. The watershed is also a tree farm for the harvesting of lumber in conjunction with the wildlife management and only take unneeded trees. The cameras installed are actually a City run user study in which the Hood College students are assisting with. Hamburg Pond and Whiskey Springs Pond are trout stocked, and outside the purposed gated areas. A new parking area will be put in and the City is speaking with Gambrill State Park concerning this. They are also anticipating anyone to get a key card to gain access, and this access will be stored and could help with the watershed issues since there will be accountability. As for Delauter Road, DNR identified it as a place to be closed for approximately 10 years, it's a trout stream as well as wet lands and its negative effects run into the water supply.
  - Mr. Stachowski advised that for the FY-18 budget, they have \$155 thousand a year for the Water Shed. He also insisted that the gates are to identify, not deny, access. A map and its legend was discussed and reviewed.

Mr. Pearre questioned the cameras that are being used. Mrs. Willoughby could only divulge about the city run user program cameras that are out in the open, they monitor the watershed users and their actions. Mr. Haller questioned and it was clarified that an individual can enter and exit at different areas. It was also

clarified that another public meeting would be held onsite if the City gains control of the Watershed. The integrity of the County's rural roads program would need to be implemented by the City.

Mr. Haller clarified that a person could go in one entrance and leave from another. He also questioned if the City would hold other public meetings and was advised that there would be. He asked the County of their standings. Mr. Nipe advised that the County is in support of the turnover of the easement rights if the City can meet the citizen's concerns. He does feel that the access concerns need to be addressed and as well as the City following the Rural roads standards and the Pennsylvania gravel roads standards.

Mr. Thomas has concern for the users that are unaware of the access gates and thinks there should be an outreach plan as well as questioning the budget impacts for road maintenance. Mr. Stachowski stated that the City anticipates a budget impact and they would be following the Pennsylvania gravel roads standards. A preliminary budget of \$2,500 per mile for the first 5 years to reach this standard. The cost of the gates, signage, etc. has also been looked into. The GPS notification that the roadways are gated and have limited access is also needed. Mrs. Willoughby advised that there are trails from neighboring residents that are groomed for ATVs and dirt bikes and the concrete barriers do not eliminate, this is also an issue that needs more attention but the City's goal is not to deny anyone a pass.

Mr. Fitzgerald questioned if the roads are currently passable and was advised that there could be some trouble if emergency vehicles were needed. He was also advised that there are trails leading to the lower part of the watershed, which is not the critical areas of concerns per DNR. The inside trails are the ones that will be eventually closed since they are in the critical areas. Mrs. Willoughby advised that the marketing source of events for the Watershed is the Facebook page. The anticipation of trail maps will also be created. It will include the dos and don'ts of the Watershed, hours of operation and other information. The AD HOC committee also has a webpage that can be reopened.

Mr. Haller placed a motion to approve and this was seconded by Mr. Thomas. The petition carried with a 3 to 1 vote with Mr. Pearre being against the transfer. Mr. Thomas added a second motion to compile the comments and discussions and to include them in future staff reports, other discussions and City review on this topic. This was seconded by Mr. Haller and the petition carried with a 4/4 vote.

D. Petition to Open/Close Conestoga Trail

Mr. Olney advised that there is a public hearing June 20, 2017 at 4:30pm with the County Council. Counter petitions can be heard and the final decision will be made.

IV. **NEW BUSINESS (At 01:25:52 of the video)**

A. Shoemaker Road

Mr. Stitt advised that the pavement management program is biannually, one year tar and chip sections and the next pavement. The paved areas are on the inventory as tar and chip and they are monitored. Pavement is rated 0-100, 100 being perfect and acceptable is 70. Shoemaker rates at a 28, very poor and require reconstruction and requires more of a heavy duty construction. Proposed action is to rehab the tar and chip portions but maintenance is before this, pipe replacement culverts etc., so the road is not damaged after the reconstruction. No road widening is planned but anticipation of excavating and reconstructing the base which means removal of what is there.). A discussion with residents occurred and options were talked about. The feedback was that most residents want to keep it as is but that's not effective

enough. It qualifies to be reconstructed. Concerning mowing residents can request don't mow areas but consideration of others would be the County mowing one pass. Mr. Grauff, with the Boards invitation, expressed his concerns again about the repaving, the road being a rural road as well as the mowing of plants and the taking down of trees.

V. **CIP AND OTHER PROJECT UPDATES (Mr. Stitt) (At 1:39:59 of the video)**

- A. Ijamsville Road Phase II, Contract B (bridge project): Project came off of winter shut down and is progressing. Route 144 to railroad tracks is closed and is accessible by local traffic. Utilities on next faze are progressing, making us on track with the timeline.
- B. Boyers Mill Road/Bridge: Partial acceptance for maintenance was on May 24, 2017 and punch list items remain open. All the inroad work will be completed within the week. North contract is under way as of April 3, 2017. Contractor has 10 weekends for closures. No planned closers are schedule but a public notice would be given.
- C. Pavement Management Program:
  - o FY17 Tar and Chip was awarded to American Paving Fabrics with a NTP on August 1, 2017.
  - o FY17 FDR - Foamed Asphalt component on Jesse Smith Road was awarded to C.W. Hetzer. NTP is June 26, 2017
  - o FY16 Overlay – F.O.Day and contract is 88%.
  - o FY16 Patching Contract – C.W. Hetzer and is 50% complete.
  - o FY17 Overlay – Bid and opened. F.O.Day was the low bidder and the NTP is anticipated for July 2017 NTP.
  - o FY17 Patch Contract – Scheduled bid advertising for June 26, 2017.
  - o FY16 Surface Coat – Bid documents are underway and an anticipated August 3, 2017 bid advertising.
- D. Sidewalk Retrofit Program: FY17 contract underway and will be completed this summer. FY18 contract was opened bid and is in awards with the low bidder. This will be underway this summer.
- E. Community Development Block Grant was received in the amount of \$400k. FY17 contact underway and will be completed this summer.
- F. Ball Road Culvert Replacement - Awarded contract and execution is in process. Anticipate work starting after June 16, 2017, after the stream restriction period end date.
- G. Bridge Deck Replacements –Replacement projects for two roads; Old Frederick Road and Thurston Road with award being issued. NTP later this summer. Do not know the first bridge to be worked on but will be advised prior
- H. Boyers Mill North Scope – Mr. Stitt advised that there is pavement reconstruction and widening (provide arterial sections – bicycle and pedestrian compatibility). The inner section will be a single lane roundabout

VI. **HIGHWAY OPERATIONS UPDATES (Staff) (At 01:42:10 of the video)**

- A. Tower Road - Mr. Routzahn advised that the last mile is being completed. To date we have removed all trees and the power company assisted with ones close to the power lines. Stumps are being removed and this will be completed so that the dirt work can start. 2/3 of the erosion control sock is completed.

VII. **ROADS BOARD ISSUES (At 01:48:05 of the video)**

- A. Shoemaker Road – Mr. Fitzgerald spoke concerning Shoemaker Road. Thinks its responsibility. These road ways are roadways and not recreational parks. Shoemaker is a one lane road and has consequences. Frederick County needs to maintain the road ways in the correct manner. He did visit the road and this is a smooth road, minor ruts were there as well as some standing water from the rain but overall, it's a prime example of a rural road and how it should be maintained.
- B. Mr. Pearre spoke concerning road widening. He does understand the concerns. He traveled Bessie Clemson Road and did notice some widening. As these roads widen unintentionally we are making it easier for people to speed and this is a concern to remember.

VIII. **ADJOURNMENT (At 01:54:30 of the video)**

With there being no further business, the meeting was adjourned. The next meeting will be held September 18, 2017, at 7:00 p.m. on the second floor Winchester Room of Winchester Hall, 12 East Church Street, Frederick, Maryland.

Respectfully submitted,

David Stonesifer, Manager  
Division of Public Works  
Office of Highway Operations

cc: All via email:  
Roads Board Members  
County Staff Attendees