

**COMMISSIONERS OF POOLESVILLE
MEETING OF MAY 18, 2009**

PRESENT: LINK HOEWING, JIM BROWN, JERRY KLOBUKOWSKI, LORI GRUBER, AND EDDIE KUHLMAN. ALSO PRESENT WAS TOWN MANAGER, WADE YOST, AND TOWN ATTORNEY, ALAN WRIGHT.

Call to Order

Mr. Kuhlman: Good evening ladies and gentlemen we will call the May 18, 2009 Commissioners Meeting to order. Let the record reflect that all four Commissioners Mr. Klobukowski, Brown, Kuhlman and Hoewing are present as well as Town Manager Wade Yost and Town Attorney Alan Wright. First order of business will be the Pledge of Allegiance so Jerry if you will lead it.

Pledge of Allegiance

All: I pledge allegiance to the flag of the United States of America and to the republic for which it stands one nation under God indivisible with liberty and justice for all.

Board of Elections Report

Mr. Kuhlman: Thank you very much. Our first order of business tonight will be a report from Suzanne Tallia representing the Board of Elections.

Ms. Tallia: The members of the Poolesville Board of Supervisors of Elections hereby certify on the 5th day of May, 2009 pursuant to Section 82.6.G of the Charter of the Commissioners of Poolesville that we have conducted the Special Election of May 5, 2009 as directed by the Commissioners of Poolesville, that we have received the returns of the election and that results of the election are as follows: Joyce Breiner – 81; Lori Gruber – 215 votes; Roy Johnson – 96 votes; Jennifer Kasten – 64; Joshua Maizel – 18; Robert Pearce – 42 votes. And signed by Thomas Kettler, Chairman and Board Members Suzanne Tallia, Theresa Yost, Elizabeth Bassett, Alicia Burton, and Ronald Luther. Poolesville has 3337 register voters at the time of the election, 516 of them voted that is approximately 15%.

Mr. Kuhlman: Thank you very much, any questions for Suzanne? Thank you very much.

Ms. Tallia: Thank you.

Swearing in New Commissioner

Mr. Kuhlman: All right with that we will do the swearing in of the new elect Commissioner Lori Gruber come forward please. Raise your right hand and repeat after me. I Lori Gruber...

Ms. Gruber: I Lori Gruber...

Mr. Kuhlman: Do swear and affirm

Ms. Gruber: Do swear and affirm

Mr. Kuhlman: That I will support the Constitution of the United States

Ms. Gruber: That I will support the Constitution of the United States

Mr. Kuhlman: That I will be faithful and bear true allegiance to the State of Maryland

Ms. Gruber: That I will be faithful and bear true allegiance to the State of Maryland

Mr. Kuhlman: And support the Constitution and laws thereof

Ms. Gruber: And support the Constitution and laws thereof

Mr. Kuhlman: And that I will

Ms. Gruber: And that I will

Mr. Kuhlman: To the best of my skills and judgment

Ms. Gruber: To the best of my skills and judgment

Mr. Kuhlman: Diligently and faithfully

Ms. Gruber: Diligently and faithfully

Mr. Kuhlman: Without partiality or prejudice

Ms. Gruber: Without partiality or prejudice

Mr. Kuhlman: Execute the Office of Commissioner of Poolesville

Ms. Gruber: Execute the Office of Commissioner of Poolesville

Mr. Kuhlman: According to the Constitution and laws of this State.

Ms. Gruber: According to the Constitution and laws of this State.

Mr. Kuhlman: Congratulations.

Ms. Gruber: Thank you.

Mr. Kuhlman: Would you care to say any words right now?

Ms. Gruber: I think I am a little too wound up right now but thank you very much.

Announcements

Mr. Kuhlman: All right we are lucky tonight we have with us our supposed to be our Senator, he called to say he was going to be a few minutes late, Rob Garagiola and we have our three Delegates Cathleen Dumais, Brian Feldman, and Craig Rice, and they are here to give us a wrap up of the Legislative Session passed, so if you three would, all three of you want to address, one or what?

Delegate Feldman: Well we are good as a team and if Rob comes up...

Delegate Dumais: We will let him talk a little.

Mr. Kuhlman: You are free to stand up and walk about if you want or if you want chairs we can slide two more up here.

Delegate Feldman: As much as I would like to address you...

Mr. Kuhlman: Address them please.

Delegate Feldman: And then Eddie if you have a little time we can do a little Q&A. So I will take a crack at it, a couple weeks kind of difficult, we just got through our legislative session and as many of you know like the rest of the country we are --- the economic downturn, when we came into the session we were facing about a 1.9 billion dollar budget deficit, no --- for new tasks, we didn't create new tasks, we had to find a way to balance the budget without any new revenues which is tough because 80% of our state budget is basically education, health care, and public safety, so that being in the state budget and looking at a billion dollar hole and also from the revenue side most of our revenue comes from sales tax and income tax and when the economy was down so we went into the session faced with that. We emerged from the session from a Montgomery County point of view I also just a little background I chair our Montgomery County Delegation, one of the --- of this County we are the largest county, we remain potentially (inaudible) of course our biggest concern is we don't want to (inaudible) but the test for us as a County Delegation we have the largest delegation in the State Legislature with a County of almost 1 million people (inaudible) we had a couple of issues that would have been a --- the State --- an unusual system, the State picks up the

tab for public school teacher retirement and there was a big --- the reason that was so important for us is we pay our teachers a little more we have more teachers for a variety of reasons that kind of shift would have hit us big time so for the State it would have saved 6, 700 million dollars right off the bat, that would have been a 200 million dollar hit to us, that was one where we basically said look you guys (inaudible) and you got to really resist this; the second area that was an attempt to --- here in Maryland we have the state tax and then we (inaudible) and there is also a piggyback tax, the States attempt to try and grab some of the County, not just our county but every county's local piggyback tax portion and then use that to solve the State problems, now again we are the largest county it would have disproportionately hit us and we resisted that. The long and the short of it is there were no single items you could say that was disproportionate (inaudible) battling back against the income tax grab and in fact we emerged from the legislative session better than most states for a couple reasons, number one we have --- the triple A bond rating I know that is something that you guys think about, we are only one of six states in the United States that have a triple A bond, --- lending and borrowing costs etc and that is Wall Street that is not me saying everything is fine that is Wall Street saying that. We actually ended up for a little bit of a quirk we ended up frankly --- and we did get a fair amount of federal stimulus money, if it weren't for the federal stimulus money being (inaudible) we would have a big, big problem, we were able to take some of that money and siphon it to education that is what we decided to do, we had to prioritize and we decided (inaudible), so as a County we actually ended up because of something called the Geographic Cost of Education, gives more money to those counties which cost a little more to educate the students and we got fully funded for the first time ever with this so called Geographic Cost of Education and there is a point where we will actually end up with more money for Montgomery County Public Schools this year than last year which nobody predicted, so those are some of the positives but there was pain we cut about 850 million dollars of (inaudible) and every state agency took a hit, the state workforce had to take 2 to 5 furloughs, not going to get a --- you know this idea that there wasn't pain, there was a lot of pain and so that we had to work through. But our economy is looking in terms of bottoming out and going forward our region will probably come out of the recession before most because of all the stimulus money because of all the federal agents that we have in the State of Maryland, for example that is a 10 billion dollar increase in their budget because the stimulus money, well it just happens to be located --- you look at all the federal assets here most economists look at our region as poised to come out of the recession much quicker than other parts of the country so that is positive thing. Our school system in the state of Maryland were ranked to be the number one public school system in the state, in the United States of America by Education --- updating these scores Maryland was ranked number one in the United States and that is all good when you look toward the future (inaudible) tuition in College Park our public university, all these states in the United States have done it for 4 straight years so I think those are the right kind of investments to make so it was a tough, tough session the problem relying on that federal stimulus money though we got it in 2 year increments and we will be ok this year, we will be ok next year but we need to get the economy turned around because the real problem will be about 2011 when we are not going to have federal stimulus money so the economy needs to turn around, we have sales tax, income tax numbers are up but we are going to have to go back to the act of shopping again,

again if the --- tax is not there we are not --- that is out of the equation but for the county perspective we did as good as we could have done, from a State perspective very, very difficult time but we did better than most and then finally I Chair a sub-committee on economic development, assigned to technology I was with Governor O'Malley here in Montgomery County today and we were announcing a big initiative for the State of Maryland, the --- in Atlanta this week which is really going to put Maryland out front in terms of the whole biotech center and (inaudible) focusing this whole 270 corridor you guys run on in Montgomery County it is --- tremendous potential to cover your NIH and John's Hopkins here in the State, tremendous potential for more resources than (inaudible) again tremendous economic development possibilities for this county in particular. We are unique and we should take advantage of that so the future looks positive because the State also has the per capita basis is the wealthiest State that we have in the United States of America. We have the largest concentration of people with advanced degrees in the United States of America, these are all things that we should feel positive about at a time when everything else is really not good so I'm trying to site the positive but with that we emerged ok, I am going to pass it on to Kathleen and Craig and when Rob comes in he will chime in and if time we will have some give and take and if you need to kick us out to do your business we will do that too, we are pretty flexible.

Delegate Dumais: Hi I am Kathleen Dumais (inaudible) in 2002 and actually Brian, Rob and I were all together in 2002. Before I talk a little about --- I want to step back a minute, I know many of you know this but we need to get a little bit of a sense of what our legislature is like, we have what is called a (inaudible) there are 141 members of the Maryland House of Delegates, there are 47 Senators for the State Department and the County (inaudible). It is truly a --- we come from all different walks, I happen to be an attorney, I --- in Bethesda, I live in Rockville, so when I am not in that 90 day session I practice law. Brian and Rob (inaudible) Rob is actually also an attorney, Brian (inaudible) and so we have different (inaudible) a pool of lawyers but in fact there are only 24 lawyers out of 141 members of the House of Delegates so as a result we have got doctors, we've got nurses, we have insurance industry people, we have business entrepreneurs so we really find --- in the perspective of looking at it from everyone's perspective. The other piece is we really rely very strongly on our committee members, in the House of Delegates we have 6 standing committees, I happen to serve on the Fiduciary Committee and it was the goal (inaudible) on our particular committee and we have to I mean there was 1600 bills that were introduced into the House of Delegates and then another 12 or 1300 that were introduced in the Senate, now some of those are cross filed so they are the same but if we have 100 bills we do an awful lot of work in that 90 day period of time --- there is no budget --- this year it will be a --- year which means everybody has got bright ideas about how to change the problems but the Fiduciary Committee we handle public safety issues, we handle just about anything that would go through the Court House, we help to schedule (inaudible). The legislation that I introduced will concentrate on (inaudible) because that is my area of expertise and at the same time I find myself sometimes being the (inaudible) across the State, Maryland --- Judiciary Committee there is a lot of (inaudible) so that perspective is very loud and clear on our Committee but I also call on other --- to make sure my perspective of public safety (inaudible). As far as policy goes this year we did there were a couple of things and actually the Governor had the --- and he assigned a Public Safety Bill he had two

initiatives in the area both of those Bills touched the --- safety so that if a protective order is issued if the respondent or the alleged abuser has one that they are surrendered but my Committee was very careful that we --- surrendered that we also provide a safe haven and we have had several individuals on our Committee that want to start (inaudible) where the bill actually provides counseling and if they are surrendered they have to be maintained ---. We also have some bills regarding --- we have a bill that looks at --- we did a complete review of all of our (inaudible) and as a result (inaudible) it will help any shortage we see by (inaudible) certainly appropriate treatment programs that have had their licenses suspended for any length of time. The other bill that we actually worked on, one of the things that Maryland has to do this year and we have been kicking this can down the road for a long time, we were the only one of almost all the states in the country to get your driver's license did not require lawful status, we did pass a bill that now requires that and it was important that this was passed at this particular time because there is a deadline under the Federal Minority Act that if Maryland did not pass legislation requiring lawful presence or lawful status to get a drivers license then as of January 1 of this year none of us would be able to use our driver's license to get --- that won't happen we passed the legislation that was necessary and to be honest the House of Delegates was the ones that crafted the legislation and was much more comprehensive than anything that we had introduced. We included in our legislation several other things (inaudible) by October, one we had to be sure that we had a security system in place for our own personal identifying information, we needed to be sure that (inaudible) and we also needed to make sure that we had security in place for the MVA that will be used for drivers license, so that is in the bill that actually got passed. One of the problems was that there was a great deal of fraud that went on, some of it was internal to the MVA some of it was --- the penalty for fraud prior to passing this bill was up to 2 months in jail and a \$500.00 fine, the House Bill which is getting adopted this year increases that penalty up to 3 years in jail and a \$2500.00 fine so we are trying to make it harder and stronger so you can't commit fraud in getting your drivers license. The controversial piece with the bill is that the question of what do we do with those who have a drivers license now that don't have lawful status, we debated it a great deal and what we decided to do is if they have, if someone has a drivers license as of April 19, 2009 they can renew their drivers license even if they can't get lawful status up to 2015 after that they won't be able to, we used the date 2015 hoping that this Administration can fix the --- let me give you an example, lets say there is a young person whose parents are here unlawfully and they brought their child, that child goes to Maryland schools, graduates from Maryland high school, is working and is driving and is contributing to society in one way or another, there is no lawful path for that person to become a citizen of the United States under our current immigration program, if they find them they go back to their country. If they have been here since they are two with no fault of their own what country is their country, I don't have an answer, I can't tell you the number of people who came to talk to me about the one who is here --- bearing U.S. citizen, in order to become a U.S. citizen they have to file an application even though they carry U.S. citizens they have to file an application within 2 years of the date of their ---. I know of several different individuals that filed the application and the immigration department lost them and as a result or if they didn't lose it they didn't act on it until 5 years after they had filed because they --- technically that application was not accepted, so in order for that person --- they have to

go back to their own country and stay there for 10 years before they can apply for U.S. Citizenship so it is far from a perfect system but what we wanted to do and the policy is we decided we needed to stop the fact that Maryland became a State in which lots of people came from other states to get a drivers license because all they had to prove was identification and residency we needed to stop the --- but at the same time we needed to do this in a manner that we felt fair, rational and reasonable, we think we did that. There will be 2 kinds of licenses in Maryland, you don't have to do anything right now, when your license is up for renewal you will go, it will happen as part of the security, when you get your next license which probably won't be for another year but at some point you go to renew you are going to have to prove that you are here lawfully, be it a birth certificate or a passport or whatever identification, you have to provide a social security number and you will have to submit those things, you will then get a drivers license that will have a gold star which means your license is federally compliant which means when you go on an airplane you can get into a federal building, it will get you into a nuclear power plant if you so desire. If the individuals in this one little pool that had a drivers license as of April 19 of this year but can't prove lawful presence renew their license up to 2015 and they can't prove lawful presence their drivers license won't have a gold star and it will specifically say not federally compliant, which means they can't use it to get on a plane, they can't use it to get into a federal building, there will be some U.S. citizens that will have that license for some period of time, like Katrina victims who --- one Maryland drivers license but doesn't have the --- or --- U.S. citizens that they don't have everything that they need, for at least some period of time they will have the non-compliant license. There is actually --- the --- wife, she has been having trouble with her social security number, she got it, if she went to the MVA today and gave them her social security number she is going to be what we are calling not a match, eventually it will be straightened out and she will get a federally compliant one but at the moment she is not going to have a federally compliant ID because there is not a match, so Maryland is going to need this sort of second vehicle for temporary license for lots of different reasons but at least up until 2015 --- officials already had a drivers license and by the way your --- who, it is not just go in and fill out a form, they will have to once again prove their identity who they are, and attach it to a Maryland residency. But that was a very controversial bill that was a very hot issue, people feel very strongly about it on both sides but we are taking a crack at (inaudible) and with that I am going to let Craig talk. Thank you I appreciate you all listening and look forward to any questions.

Mr. Rice: You have heard a lot today from both Brian and Kathleen I don't want to --- so I am going to press a little bit on, what it means to be a part of the Delegation, how important it is, Brian touched on some of that at the beginning, you know Brian chairs on the Montgomery County Delegation so being the largest Delegation it is kind of --- and everybody wants to go off and do their own thing but for us to be a true power in Annapolis and for us to really represent the largest Delegation we have to work together and that is a difficult job and Brian has done a great job with that especially a lot of people have noted that that the Montgomery County Delegation really protected Montgomery County and I think that is very important, everybody taking anything away from this evening you know that that is the case, you know our county --- drew a line in the sand, it was talked about in all the media and said we stood up for --- we would not budge on (inaudible) it would have been devastating for Montgomery County budget and

we did rule the line and that is important. It is very easy to kind of peel people off and kind of hold funds --- but it takes a team to kind of battle against something like that and I think that we were very focused and I think the result is that you see we got record amounts of money for education and that is really --- to achieve. The first time we had EPI fully funded which means a lot of our schools where we had issues or we've got overcrowding issues or we have got the teachers don't have the right materials that they need they are having to do this out of their pocket these are real life world scenarios that people are dealing with every day and you know we are talking about people that are under paid and it makes a difference when you have something like this so it is going to be monumental for the education --- the money that we have going into the school systems. And that is where I want to dovetail into my passion, which is education. The majority of the Bills that I deal with I sit on the --- Committee and we handle education taxes like you heard from Brian earlier, they aren't doing anything on taxes (inaudible) either our economy comes back and we can talk about a new tax structure and getting down where we can take a look at everything. I feel that this scale approach that we have been doing hasn't really been effective and it has been kind of disingenuous to the entire process and to all of the citizens as well but that being said we don't really need to touch on that for probably another 6 years but as far as the education piece goes there are a lot of things that are out there a lot of people are concerned about higher education and we froze tuition, a lot of people that have seen their 401K deplete, the money has been put in mutual funds and it has been cut in half, that is a college fund for their children and those people are now faced with options of where do I send my child to school can't afford it, so we --- tuition which is great one of the hidden cost of college is tax money and a lot of times when we go to even a community college you are paying \$3000.00 for their full semester, you've got a full schedule, you are paying \$1000.00 in taxes and a lot of times that is enough to keep people from being able to afford the very --- that they need to be successful. And we never want to stand in the way of that so I am very happy to say this year I actually started this Bill my first year in legislature but the College Textbook Constitution Affordability Act 2009 will be signed by the Governor tomorrow and I am very, very excited about this, it is a huge bill and it means a lot to a lot of students. We heard from them when they came down and testified and we had to bring it full circle talk about teamwork you know it is very impressive, it is a great story, when we first introduced this bill it was designed to be a sales tax --- I said you know what why are we taxing textbooks it doesn't make any sense lets give people a break when they buy them and we put the bill in got what is called fiscal notes, we said how much it is going to cost and they gave it to us for some reason, a freshman legislature and I had no idea when (inaudible) and it is 23 million dollars. So I had no idea what to do and fortunately I share an office with the --- Delegation of Brian so I went in Brian's office and I said Brian what am I doing, what do I do now, and Brian said calm down what you need to do is talk about the --- and the reason why it is so important and it goes without saying it is not just about cost but how we get to coming up with solutions and (inaudible) and understood what it was now that is not getting a tax credit that is not what the bill does, the bill is much better and much more comprehensive and it is a work in process because then it has difficulty to the fence side and the strategy Senator Garagiola here was a great instrumental person in terms of structuring the bill so that we could get the paying bill that was on the fence side go after my bill so people that were trying to potentially kill

that bill could put whatever amendments on, suffices to say the bill passed and it was collaborative effort and that is one of the things that I am thankful for being a freshman legislator to have such a great team of Brian, Kathleen and Rob because it gives you the ability to glean off of what they have, they don't --- themselves very much but Kathleen is our House --- she is the person that decides all of the --- awards and everything that happens on the floor, that is huge. Brian is a Chair on our Montgomery County Delegation Office a sub-committee chair on economic matters very important and then Rob he will tell you a little bit about it too but he is definitely a majority leader in the Senate, you are talking about the number 4 guy so we are in the mix of all these people that tells you a lot so people have talked about some of the sessions that I have had but I truly attribute it to being a part of a great team. Just really quickly talk about a couple other things again dealing with education, non --- employee, those are your cafeteria workers, your bus drivers, your maintenance workers that are at the school, they don't have the same bargaining rights as teachers do and especially in a time like this when we have a lot of stuff like that, I thought that it was very important that we try to protect those people, these are people that are making \$20,000.00 a year and trying to put food on the table for their family so we want to do is give them some of the same bargaining rights as well, nothing extraordinary but it was something that originally we thought well why would we do this and then we thought you know what it is the right thing for us to do and I am very happy to say that that bill passed and was signed by the Governor a few weeks ago. And then very impressive (inaudible) and you saw the Governors plan of Smart Green and Growing and as we embrace a lot of the environmental changes that we need to have to promote the same ability for our children it was very interesting to know that Maryland didn't have a policy on recycling in our public schools. We talked about all the things we want to do for clean cars, restrictive ---, to emissions to everything else but we didn't require public schools to recycle and it was beyond just paper, we are talking glass, cans, things that really make sense, we want our children to be environmental stewards and that is something that is widespread here in Montgomery County but it is not statewide and so Senator Michael --- and myself --- that went to the House and was signed by the Governor a couple weeks ago as well that makes sure that we are going to be doing recycling in public schools throughout the state so that no one (inaudible) sometimes it is a little bit more expensive and especially to have recyclables don't get the same return as they used to so the key is to educate our children and make sure they understand it is so important. It is very interesting that the State House did not recycle glass, we did sign the paper but where we make the law a state environmental the Chesapeake Bay and Oyster restoration all those kinds of things we didn't recycle and I am very happy to see that that Bill passed as well, it is very, very important. We made a number of strides on a number of different --- and in a year like Kathleen said where we don't really have that much money and so I think it is very fortunate for us to actually be able come before you and talk about a lot of positive that came out of the House and then so at that point I will turn it over to Rob because I know Rob will kind of sum everything up but it has been a fantastic third year for me and I am very excited for the last year (inaudible).

Sen. Garagiola: Welcome to the Commission, I guess today was the day you got sworn in officially congratulations on your election as well. Certainly going to miss Tom, actually Tom's brother former Commissioner Yeatts is the brother in law of Senator Kyl,

Jon Kyl who is the republican leader of the Senate and actually a good friend of mine but there actually is believe it or not (inaudible) and I would say that probably about 95% of what we do in the legislature contrary to what some people read in the newspaper or see at Capital Hill actually is done in a bipartisan measure and I would say 95% of the issues to begin with, there is really not a partisan angle to it, sometimes it is geographical, sometimes it is pitting Baltimore City and the Baltimore area against the Washington suburbs and sometimes it is a rural community versus an urban community so we really had some high issues that are (inaudible) I would say most of the issues are not partisan and you may have heard a little bit about it, the process but a lot of the work in the legislature really occurs in the committee process and you heard Kathleen sits on a Fiduciary Committee, Craig on a Ways and Means Committee, Brian on an Economic Matters (inaudible) the finance committee has jurisdiction there is only 4 committees in the session, the finance committee has jurisdiction over energy policy, health care, insurance, health insurance, life insurance, you name it, economic development, employment matters, it has broad jurisdiction and those are the issues that I focus most of my --- on, predominantly health care, I also Chair, I am the Chairman of the Health Sub Committee, there is a handout that I provided. But they also focus a lot on energy issues particularly renewable energy and I would say that probably again very, very high numbers maybe 90, 95% of the bills are likely to get voted in favor before the House and the Senate so really it is in the committee structure where the action occurs because on the finance committee we have 11 Senators so all those issues I talked about, all it takes is 6 to --- a bill or pass a bill on energy, on health care, economic development any --- pass the House of Delegates but if you don't have 6 votes that could be the demise of the bill so a lot of the focus of what we do a lot of long hours actually in the committee, because we are in session 90 days and you --- an email Monday as well as --- if some folks want to see what --- in Annapolis, each Monday from the middle of January to the middle of April is when we vote on the Senate Floor and it enables those who come from farther distances to get to Annapolis and get settled in for the week. Tuesday, Wednesday, Thursday we go into session on the Senate Floor and House Floor respectively at 10:00 AM and at the beginning of the session we will go an hour two hours later in the session it could be the better part of the day but the committee process really takes most of the day and that begins typically around 1:00 Tuesday, Wednesday, Thursday sometimes Friday, sometimes even Saturdays with voting sessions those days as well and again unlike Capital Hill any citizen the day of the hearing on any issue that that committee is going to hear about, so the Finance Committee on a given day we would actually hear 10 to 15 bills on --- group, so one day it might be health care related legislation, another day it might be related to workers compensation or other types of insurance, working on energy policies, renewable energy, energy policy for the State of Maryland, figuring out what the --- should be, it could be 10 to 15 bills on the subject and try to get through them in one day and any citizen literally an hour before that 1:00 hearing begins, can take a look at noon or 11:00 that morning, what are the bills that the finance committee are hearing that day, or the ways and means committee, or the economic matter or any other committee in the Senate and literally you could walk in off the street the day of that hearing and say I want to speak against this bill and believe it or not there are some people that do that, obviously similar to Capital Hill there are paid lobbyist down there that are hired guns fighting for their interest they are also educators

down there, there are also small business owners, farmers, we have a range of people that come and testify on the different issues and hopefully I gleaned a little bit of that from my colleagues, I would say nearly every legislator certainly my delegation here are very conscientious legislators, if you go to this committee generally speaking (inaudible) deal with --- at the same time, I know the staff questions, but the delegates have a staff person sometimes, we have 2 staff while we are in session, and 1 and a half the other 9 months of the year to address the questions and thousands of letters we get when we are in session, those 2 staff are handling that, we represent about 112 to 115,000 people. But as far as the committee process you will see legislators in the day take the finance committee you are likely to see almost the whole time they let us out everyday now we don't break for lunch, sometimes we go straight from the floor to the committee so every now and then a legislator might step out the back and chat over a sandwich or whatever but generally speaking you are going to see legislator, sometimes those hearings go to 5 or 7 or 8:00, Fiduciary Committee in particular they go really late, they handle a lot of tough issues, sometimes 9:00 at night. Former Commissioner Yeatts brother in law is an attorney and I am the only other attorney on our committee so 2 out of 11 probably helps things move faster. A lot of policy things to focus on and sometimes I feel unfortunately that the media market in the DC Metropolitan Area really doesn't pay as much attention to what goes on in Annapolis as you would see if you were watching television in the Baltimore area and DC media is more focused on Capital Hill, Northern Virginia, DC, Maryland, international sometimes as well, now I would say 800 bills are getting --- to House and Senate this year, a lot of these things affecting citizens in so many different ways and it is truly a lot of policy making that goes on in Annapolis. But in addition to the policy making I want the public to know as well I see our role as legislators important, making policy and trying to make the best decision we can make in Annapolis but also being attentive to outreaching to constituents and understanding what is on the constituents mind and when I first got elected in 2002 about 7 or so years ago now I was knocking on doors like Kathleen was and Brian was, Craig got elected 4 years later up in the community up here and I live in Germantown and one of the things that I heard was you know we in Poolesville and the Upper Montgomery County feel like we are not getting paid attention to, we are not getting representation and I want to impress upon you that all 4 of us work very hard to be in tune with what is going on in the Up County and what is going on in Poolesville. Every single year I have been in office, every single year that is election years so there have been 2 of them now for me, non election years which has been most of the years since I've run every 4 years, I've been out in front of Selby's every session for several hours and in fact this year, this is probably the power of citizen activism, I had some young students meet me and actually presented me a T-shirt and Butch Zachrel about this notion of a Skatepark funding for a Skatepark for Poolesville and in rapid fashion I along with my colleagues in the House put together --- legislation to secure \$175,000.00 for Poolesville for the Skatepark that is not insignificant I know there is some who think the money should be spent somewhere else I mean the Commissioners try to make the decision as far as where the priorities ought to be as far as spending money and being impaired by the difficult economic situation in our State and -- capital bond funding there is a ceiling as far as how much of it we can use for schools, for local projects like that and if we hadn't given the \$175,000.00 somebody else would so it was money that was going to go into the treasury, it was basically here --- it is going

to go to local projects throughout the state and my feeling was I want to make sure that we get our fair share of it for Poolesville for Upper Montgomery County and in fact the Town Hall this beautiful Town Hall a few years ago the Mayor said Rob and I had been to Town Hall meetings in the shopping center across the street, actually what it was, was we heard you got money for Barnesville, that's what it was, we heard you got money, heard you got \$85,000.00 for Barnesville to refurbish their Town Hall and we did we got \$85,000.00 in matching funds for the Town of Barnesville, there was some that had to be recorded historically and --- place for the Barnesville community a year after we got state funding for this Town Hall.

Mr. Kuhlman: Acquisition of recreation property.

Sen. Garagiola: Right exactly so I want you to realize one I think here is what I take away from this, one you got 4 very conscientious dedicated hardworking legislators who really try to do the right thing, you can't have everyone always agree you just can't, in fact I don't always agree with my colleagues on issues, we agree a lot of times, but we have differences of opinion that is just human nature but we try to make the best decision that is the first thing, the second thing to take away is that we work very hard to be attentive to the needs of Upper Montgomery County and the Poolesville community, every Poolesville Day we are sponsoring it, the Vets at Whites Ferry I see that is coming up again on May 30th I have been out there a couple times to meet with our Veterans, 2 years ago I started the Veterans --- being a Veteran myself and it is a wonderful thing that this community does for the soldiers at Walter Reed so we are up here we are in the community and it is not an election year and we are up here years when it is an election year. So I appreciate the opportunity to be here again and again congrats on your election victory, you are going to enjoy this group here, you got a lot of spirited sessions on a lot of issues and which is democracy for you so thank you so much for inviting us here.

Mr. Kuhlman: You are welcome. Before we get in to any questions and answers please understand these four people do work very hard for us and we are in constant contact with them. I am envious Kathleen's office is better than all of theirs put together, she has got a really nice office down there but that is what you get for being --- and Rob and Kathleen and Craig all have worked very hard for us and any time we have called and asked for information input or assistance or help it has always been there, they have been very, very helpful to the Town of Poolesville and I very much appreciate it. Are there any questions from the Commissioners for any of the four of them?

Mr. Brown: Everybody I just want to say thanks on behalf of the Commissioners to especially for the recent Skatepark bond bill, I was one of the ones that spearheaded along with Link and the reaction from the community, especially the skate community, has been overwhelming and they are extremely appreciative, they have something coming up for you guys but they couldn't put it together in time for tonight but they want to let you know that it has been duly noted there is a level of excitement inside the town about it that is really amazing so thank you.

Speaker: I would say this calls for us, there is nothing better than getting bond bill money that and is actually physically sitting, like for me to sit in here and Rob and I bring in the big blown up check, big blown up state check for the Town of Poolesville with a picture, so yea to sit here it is very gratifying, a lot of what we do down there you don't really get to see things come to fruition. The bond bill was (inaudible) this year so this is cool.

Mr. Hoewing: Won't be able to sit in the Skatepark, you will get rolled over.

Mr. Brown: Yea the bleachers will be safe. As Eddie mentioned too for the land for what we call Parcel 840 I mean we wouldn't be talking Skatepark if we weren't talking Parcel 840 as well so thank you again everybody for working with us it has been a tremendous rewarding experience the last couple of years especially with everything you know you got bricks and sticks to show for your efforts here all throughout the town when it comes said and done so thank you.

Mr. Kuhlman: It is very interesting you go down bond bill hearings are held on Saturdays generally, you go down there on Saturdays and I will see some of our colleagues from other municipalities down there to testify for their bond bill but their Delegates and their Senators aren't with them. Any Saturday morning we have ever showed up to testify at least 2 of these people are always there to sit with us and help us testify so it is very appreciative from our side. Anybody have anything else, Jerry?

Speaker: I heard skateboarding was like the fastest growing sport in America.

Mr. Brown: We will have one ready for you if you want to...

Mr. Kuhlman: I know the Senator has got to get to another meeting is there anybody in the audience that has a question, Mr. Janet?

Mr. Janet: Stan Janet remember me from last year, I will bring up the same question, there is no doubt in anybody's mind that you people work hard but you are neglecting the overall economic interest in the Upper County, to cite an example and I can make a suggestion, which is the same thing I did last year, but one of the problems is new people are on these committees, to cite an example energy now I don't blame you I don't blame -- for not solving the state and the federal energy problem, the problem is neither the republican nor the democrats or independents have done a good job, 8 years, 8 years this is America, we can't solve the problem because people in committees and just like right now they don't want to solve the problem, they want to push through their stupid and dumb agendas and that is what they went for, you scratch my back we will scratch your back and (inaudible) and what they are telling you is sure but not accurate when it comes to economic measurements. What I am saying is and you can call an energy bill whatever you want we have over 100 years of oil in this county, why thing common sense tells you ok there might be something to global warming ok but lets take at least 10 years of that oil, we got plenty of time to come up with the right solution and when we talked last year I said then it is not going to succeed, I told you that and today a year later I am right ethanol companies are going out of business, they wouldn't exist if they weren't subsidized by the federal government and the state government so they are both just as guilty of not --- as long as --- money to them that's what they want but it won't solve the problem, we have to solve the problem with leadership which we don't have. Now Governor O'Malley tried, he has tried, I agree but that is not the solution he is right, the government only produces 2% that has been around for 20 years, if it was that good every company (inaudible) 5 billion gallons if it passes and all they have to do is hire lobbyist and that is who the politicians listen to and that is what they come up with and they come up with the wrong solution and the wrong answer so my solution is, one common sense says you have too many committees, cut them in half then concentrate on big problems like energy and solve them energy education and let the other small things catch the catch can that is a better solution and saving a lot of money and solving the problem than what we are doing now.

Speaker: We actually have less committees than any state legislature.

Mr. Janet: I can't hear you.

Speaker: We have 4 committees in the Senate, we have less actual committees in our legislature. Virginia has 23 committees in legislature...

Mr. Janet: Well I think the committees are trying to do too much, you people are trying to do too much, you got 10 functions in the committee come up with a top line and let the others become secondary and work on the --- money.

Mr. Kuhlman: All right thank you Sir we need to move on, anybody else with anything?

Speaker: Could you just update us on the speed cameras?

Sen. Garagiola: Sure.

Speaker: Specifically whether or not this community has any ability to (inaudible).

Sen. Garagiola: Two things, one because of legislation that I introduced earlier this year (inaudible) and Montgomery County in the whole and they were actively engaged and I know they have been in close communication with the community of Barnesville and they don't even have speed cameras so I encourage that dialog to continue if you want the county to continue to be --- with respect to the ---. The second point is that we didn't pass legislation dealing with speed cameras and that legislation basically grand fathered what is in Montgomery County but permits speed cameras in school zones and other jurisdictions and work zones, you know temporary work zones throughout the state and there is language in there that would enable local governments such as Poolesville to directly without a police force directly contract (inaudible) but Poolesville could, I don't know what the effective date on the legislation is I would assume its maybe June 1 but odds are October 1, most bills are October 1 so maybe a little earlier (inaudible) but after that effectively municipalities if they do not have a police department can assign that role to someone within that municipality and they would be the delegated person or agent to use speed cameras without having to work with Montgomery County so after that legislation Poolesville will essentially have 2 choices, 1) they can work with the County government but you know have the county government continue to manage it and deal with it or 2) they can try to do it themselves, we will see some municipalities that take that --- and even dispose the police department like Rockville or Gaithersburg, there is a requirement in the current law that you have to have a police department so the change will effect Montgomery County is that municipalities that don't have a police department will be able to employ speed cameras as well again there are certain perimeters where you can put them etc., that have to be followed very closely, they have to be calibrated on a daily basis, there is a lot of detail but it is something that the town can pursue and the only other caveat mentioned tonight is that if the, if Poolesville were to decide to do this and if the revenue from the speed camera that Poolesville collects was greater than 10% of the town budget, greater than 10% of the town budget, so say that the town budget is 3 million, so if it was 40 million in revenue, 30 million the town could keep and it would have to go to pedestrian safety public safety. --- if in addition to the 10% goes to certain police state police funding and also to transportation funding and then it goes to state public safety initiatives beyond that. That is kind of the summation of that.

Mr. Klobukowski: I guess I do have a question, so what you are saying then is the County could leave even though you are saying that speed cameras are for construction zones and school zones clearly there is no...

Sen. Garagiola: No, no, no I said Montgomery County is grand fathered so Montgomery County can still put them in residential zones that are 35 miles or less but Howard County can't. So there are 43 jurisdictions that are limited they can only put them in school zones or work zone whereas Montgomery County can continue to have them in residential zones.

Speaker: The other little tweak was well right now it is 10 miles over the limit and if the bill is passed you can go 12 miles over the limit even Montgomery will now be 12 miles over the speed limit.

Mr. Klobukowski: So that explains why they are able to put cameras down at Darnestown where there is no school or construction zone.

Sen. Garagiola: Right it is in a residential zone.

Mr. Klobukowski: And you are saying we would have the ability to put speed cameras that would not require the county to remove the speed cameras at either end of town there would just end up being another set in town then.

Sen. Garagiola: Well what I would encourage you to do is work collaboratively with the county in whichever option you pursue.

Mr. Klobukowski: We would hope that they would work with us in a collaborative decision and that we would be able to come to some sort of...

Sen. Garagiola: They are working with Darnestown.

Mr. Kuhlman: Again I would like to thank you four for your dedication and your service and coming up. We will take a 5-minute break. All right back to order is there any announcements from any of the Commissioners? Seeing none ok the Parcel 840 group had a citizen volunteer to serve on the committee she showed up at the last meeting and her name is Julie Halstead and she will be serving on that committee from now on. The April 27 Executive Session was cancelled it never did happen.

Approval of Minutes

Mr. Kuhlman: Next item will be the approval of minutes of April 22, 2009, is there a motion for approval?

Mr. Klobukowski: So moved.

Mr. Kuhlman: Is there a second?

Mr. Hoewing: Second.

Mr. Kuhlman: All in favor?

Mr. Kuhlman, Mr. Hoewing, Mr. Klobukowski, Mr. Brown: Aye.

Mr. Kuhlman: Those that abstain.

Ms. Gruber: Abstain.

Open Forum & Citizen's Comments on Agenda Items

Mr. Kuhlman: Open forum anybody? Citizens comments on agenda items the committee assignments will be our new Commissioner will get her assignments tonight, is there any comments there? All right introduction of Master Plan Amendments for the Growth Elements, Wade if you want to give a very quick rendition of what that is.

Mr. Yost: Sure and to back up for one second I believe we did have the Executive Session on the 27th, it was the May one that was cancelled.

Mr. Kuhlman: Oh I was thinking of the other one I am sorry you are right, yea we cancelled the other one.

Mr. Hoewing: In fact there are minutes for that here, there is a summary of the...

Mr. Kuhlman: Yes we went over the Winchester Impact Fee letter.

Mr. Klobukowski: It was on the 22nd of April?

Mr. Yost: The 27th.

Mr. Hoewing: Yea the one page right here.

Mr. Kuhlman: I am sorry.

Mr. Klobukowski: Oh ok.

Mr. Kuhlman: All right is there a motion for approval of those minutes.

Mr. Hoewing: So moved.

Mr. Kuhlman: Is there a second.

Mr. Brown: Second.

Mr. Kuhlman: All in favor?

Mr. Kuhlman, Mr. Hoewing, Mr. Klobukowski, Mr. Brown: Aye.

Mr. Kuhlman: Abstained.

Ms. Gruber: Abstain.

Mr. Kuhlman: All right sorry about that thanks for clearing that up Wade.

Mr. Yost: Ok just a quick one on the introduction of the Master Plan Amendments which are required by House Bill 1141, it is a 2 part one is Municipal Growth Element talks about land uses and the other one is a Water Resource Element that deals with adequate facilities and stormwater impacts that may occur from development basically the whole state has to do it, any jurisdiction that has any zoning authority has to put these elements together so that we have a comprehensive plan for the whole state for the next 15 to 30 years how growth is going to impact the state.

Mr. Kuhlman: Ok does anybody have any comments? Seeing no hands our last agenda item tonight will be to set a work session for the impact fees that date is going to be May 27 a week this coming Wednesday at 7:30 any comments?

Mr. Klobukowski: When is that again?

Mr. Kuhlman: May 27th at 7:30 Jerry here.

New Business

Mr. Kuhlman: All right seeing no hands we will go back. Committee assignments, Lori Gruber welcome to the Commissioners, your assignment will be the Commissioner representative on the CEDC.

Mr. Yost: Which I believe meets this Wednesday.

Ms. Gruber: Ok.

Mr. Yost: Sorry about that.

Mr. Kuhlman: And you might as well know now you will be in charge of the Holiday Lighting Contest.

Mr. Klobukowski: And you want to give her a heads up as being a rookie Commissioner she has the opportunity to excel by being the Chairman of the Holiday Lighting Committee.

Ms. Gruber: I can do that.

Mr. Klobukowski: So are we going to be able to meet then at 7:30 on the 27th?

Mr. Yost: Yea they meet this Wednesday.

Mr. Klobukowski: Oh I am sorry this is the 20th ok I am a week ahead.

Mr. Kuhlman: All right introduction of Master Plan Amendments for Growth Elements Wade?

Mr. Yost: Ok Planning Commission and myself the last couple of months have been going through these, basically they were able to take bits and pieces of the Master Plan,

Watershed Management Plan, things we had in place, some of the stuff was in the Subdivision Regs and just put it together, we have a pretty good plan already in affect for our growth now that is going to occur. So we can take a look at the first one which is the Municipal Growth Element and like I said it was required by House bill 1141 and we have until October 1, 2009 for all jurisdictions to adopt this into their Master Plans. Both of these plans have already gone through the County and State review as well as fire and police, everybody listed in 66B, all comments have come back and been addressed appropriately by the Planning Commission and now it is on to you for your guys review as well as to set a Public Hearing so that it can be adopted into the Master Plan as an amendment.

Mr. Klobukowski: Let me ask you if I may one question, the copy I have is 20 January, that is the same copy we are going to be dealing with now?

Mr. Yost: Yes unless there are any changes, yes date approved January 20, yes.

Mr. Klobukowski: Ok.

Mr. Yost: And I did find one mistake in the Water Resource Element. So basically what the municipal growth portion of it, a lot of it deals with land impacts, we did have to recalculate impervious areas how they are in town now versus how they are going to be once the development occurs, we went through storm drain the runoff, sensitive areas which are stream buffers, flood plains and we already had some of that addressed like I said, flood plains we can't build a structure in flood plains not allowed by Code, not all jurisdictions have that so we would have the ball --- as far as that goes anyway. I don't want to go section through section in here unless you guys have specific questions, I don't know if you have had time to look at them. With the Water Resource Element again we had already written and adopted water and wastewater management plans that says exactly how the infrastructure is going to be in place, what all the requirements are which are actually more stringent than what the State requires. We talked about State Police, schools, and everything has to have some kind of a standard margin and we used all the State standards for how many police you need per thousand population of schools, how much you need for each increased populations and all these figures are calculated in here also so when it goes to the County level or on to the State level they know what the impact is going to be going down 15 to 30 years. So it is pretty boilerplate basic language.

Mr. Kuhlman: I read both the reports so I gave you the one word that was missing.

Mr. Yost: What was it I couldn't find it the other day.

Mr. Kuhlman: Page 10 on the Water Resource.

Mr. Klobukowski: You are saying that page is missing Eddie?

Mr. Kuhlman: No it has got a word missing.

Mr. Klobukowski: Oh.

Mr. Kuhlman: In the second paragraph Wade it says "the Town should encourage the use" I think the word of is missing.

Mr. Yost: Oh yes you are correct thank you.

Mr. Kuhlman: Drainage swales for quality and quantity control. Other than that they look great. What is the next step on these?

Mr. Yost: Well we need to set a public hearing.

Mr. Kuhlman: All right lets see our next Commissioners Meetings are June 1st and 15th.

Mr. Yost: Why don't you give me till the 15th so I can make sure I can advertise it 2 different times.

Mr. Kuhlman: All right I need a motion to set these 2 for public hearing on June 15th.

Mr. Klobukowski: So moved.

Mr. Kuhlman: Is there a second?

Mr. Hoewing: Second.

Mr. Kuhlman: Any discussion, all in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously. All right set impact fee work session as I said Staff has reviewed our impact fee structure and they have some recommendations they want to make on it, you all have received copies of it via email and we are going to set a work session on May 27th 7:30 here at Town Hall and it will be open to the public and we are going to send a special invitation to everybody on the allocation list a notice any comments.

Committee Reports

Mr. Kuhlman: All right old business none. Committee reports Planning Commission.

Mr. Hoewing: We had a stripped down meeting of 3 Commissioners, 2 Commissioners were not there. Mostly discussed we have to adopt as you know some new requirements for green environmental issues that was one of the things we said we would look at, we started discussing that, we looked at some other towns requirements and regulations that they already have in place for things like what do they do about solar panels and what do they do about injected wells for heating and those kinds of things. So we are starting to look through how to set those kinds of requirements and also obviously wind turbines was part of that discussion as well but that will take some time, I think we've got 4 months now or 5 months now from the time we said we would do that so we have got some time. It was a good discussion we made a good start.

Mr. Klobukowski: Does the county cover solar panels because there are some houses...

Mr. Hoewing: In terms of regulations about installation?

Mr. Klobukowski: On houses I have seen them I know I don't know if they are still there on 109 past the firehouse where they had solar panels, I don't know if they were on the house and off to the side but there were some off to the side.

Mr. Yost: Yea Montgomery County was one of our model ordinances we were looking at.

Mr. Hoewing: Right.

Mr. Klobukowski: Do we have to establish another ordinance or would it be more advantageous to adopt the County's Ordinance?

Mr. Yost: The County's really crossed between building and zoning issues so what we did was go through it and pulling the zoning aspects out of it that really fit our need rather than the County had different zones so it is a little bit different so we can't just adopt it in whole.

Mr. Klobukowski: Ok you are talking electricity right with these solar panels.

Mr. Yost: Yes.

Mr. Klobukowski: What about those, I don't know how many people even use them anymore but there was a time when people used solar hot water heating systems could we cover that as well?

Mr. Kuhlman: Still can because you get a State tax grant for putting one in your house.

Mr. Yost: We sort of cover it now and we talked about this at the meeting, we are going to make a special thing but structure in general because any unit that would be placed on the ground would fall in the category of an accessory structure and there would be foot limitations you have setback limitations already in the books.

Mr. Klobukowski: Some of these I thought were put on...

Mr. Hoewing: Roofs.

Mr. Klobukowski: And are those heat exchanger type they don't actually have the water go through it do they?

Mr. Yost: Yea.

Mr. Brown: The ones on top of my house do.

Mr. Klobukowski: Because I thought some of them were like they had ethylene glycol solution going up and then a heat exchanger where it would come through and the fresh water would be in a tank and the pipes would circulate through before they went back up to the roof.

Mr. Yost: There are tons of different types out there.

Mr. Klobukowski: My only question with that is if they are using a solution like ethylene glycol, which could harm the environment, do we need to be cognizant of that with respect to our wellhead protection and other things as well?

Mr. Yost: In household unit not knowing the quantities but I would think it probably wouldn't be as much as you have in the radiator of your car.

Mr. Hoewing: Well injections would probably be something those are...

Mr. Yost: That is something that goes subterranean rather than...

Mr. Klobukowski: But I would think if you are going to be comprehensive about it you would look at all...

Mr. Yost: Yea we will bring it up.

Mr. Kuhlman: All right Parks Board.

Mr. Brown: Parks Board met on May 6 and we opened up with we walked the Hunters Run proposed possible Hunters Run trail which is a great walk and it was basically determined it was a muddy walk...

Mr. Yost: You didn't have an umbrella?

Mr. Brown: I don't know if I brought an umbrella or not, thank you though for asking. But I did have muddy shoes so that was good and we saw a turtle that was about this big that I have a picture of on my cell phone if you want to see it. It was a big snapping turtle, Preston picked it up several times by the tail flipped it over, showed us how to flip it back over again, anyway I will send everybody a picture of it, I'll send everybody a picture to prove I was there.

Mr. Klobukowski: I'll probably use it to make soup out of it.

Mr. Brown: This guy would have made soup for a long many days. But anyway we let him be and it was actually a really good walk the action that came out of it was decided to really not take any action on the Hunters Run trail mostly because of the inaccessibility of the area where the trail would have to go plus I have to admit the people that went on the trail walk, we went down to the Beaver Pond is that what you guys call it Beaver Pond?

Mr. Kuhlman: Snake Lake.

Mr. Brown: Yea Snake Lake Beaver Pond we went down there that is one tremendous unspoiled area in Poolesville which was really nice and I think the sentiment amongst

everybody involved especially Preston who was threatening to not lead us out of there, was that this is a better it's a great private place especially for the people who know about it because its wonderful the area down there hard to believe it is in Poolesville, so no action taken on the Hunters Run Trail. We also had a discussion when we came back here and met we had a discussion about signs on ballparks we decided that permanent signs were a no go but movable signs still had some possibilities so that the door wasn't shut on that which was good.

Mr. Hoewing: What would the sign say?

Mr. Brown: They are talking about selling sign space.

Mr. Hoewing: Oh selling sign space advertising all right.

Mr. Brown: We also had a, we were going to have a discussion about park rules and regulations but that was pushed off to this month next month coming up and then we also had a presentation from the August Cup Soccer Organization which they are going to bring a very big size soccer tournament to this town in the end of August and we made them cover a lot of ground in terms of what they were going to do to take care of the fields and do what they need to do but you are talking about a youth soccer organization that is potentially going to tie up a fair amount of our fields inside town they are for smaller kids so it is not a high impact, it is not grown ups you are talking about 9 and 10 year olds and they are going to take several what would be say a soccer field over at Halmos and turn it into a couple of soccer fields where the kids are going to be able to play so we accepted a donation for them having the tournament here as well as a much larger than normal deposit and we approved them as it was. So that will be interesting to see it and also we plan on having the CEDC and the Chamber of Commerce involved because there will be a lot of traffic supposedly coming from this, heck maybe more than the polo get together had.

Mr. Klobukowski: I'm still looking for that traffic.

Mr. Brown: Well I saw the speed camera going off a lot those days so anyway that is all for now and I guess I will be in Skatepark or Parcel 840 when we talk about that Mr. President.

Mr. Kuhlman: Anything on CEDC Wade?

Mr. Yost: No.

Town Manager's Report

Mr. Kuhlman: Ok Town Manager's Report?

Mr. Yost: The Post Prom they have their Prom this Friday night and we had \$600.00 in the activity we previously had had been cancelled and we decided on what we want it to go towards, so we had \$600.00 in the budget I went ahead and told them to put it towards the DJ I hope that is ok with everyone. They did have a tattoo booth I was leaning toward that but I said no.

Mr. Hoewing: As long as it is a United States Navy tattoo Jerry is ok with it.

Mr. Klobukowski: Yea I'd be there as long as it is washable.

Mr. Yost: Lets see an update on well number 7, the pilot program we are looking at the week of June 1 to start that testing program, we got the results back from our basic water quality test we had to do and so they are going to be setting it up the week of June 1 and start going through it to see how the uranium removal goes with that specific resin they are going to be using for it. Wanted to touch base on Getty gas on the gas station on Fisher Avenue. I did receive a call Thursday afternoon from a resident who said they

thought they saw one of those filler caps which is usually typically flush or below grade of the ground level about 18 inches up out of the ground so I went over there and took a look at it, it does appear like the tank kind of floated up because I know it was empty they pumped it out a couple weeks ago so I went ahead and called the State MDE they have a tank protection division and they met me Monday morning 8:00 AM out at the site and we pulled the manholes and took some pictures, we didn't get inside the concrete vault that actually the steel tank sits down in there was probably about 2 foot of ground water that did seep into the vault and it did have a slight film on it like maybe there was a small amount of gas in it. They are contacting the owners they are going to have it pumped out, cleaned out, repaired whatever it takes and really for a ground vault in theory you think if ground water can get in well it can get back out it is much harder to get back out just because you have a whole lot of pressure and the deeper you go you have what is called head pressure so it is much easier to get into a vault than to get out of a vault. Be it so I went ahead and ordered Staff to take tests from well 5 and well 2 and test for volatile organic chemicals which would pick up any chemicals that are in gas whatsoever. I also spoke with Mr. Roberts who has a law office right across the street and a well there and we pulled samples from that also and figured that is very close proximity to the well or to the site and it would show signs of it much quicker than our wells would. It will take about a week to a week and a half to get those results back.

Mr. Klobukowski: Is that because the construction of the vault was not constructed properly or...

Mr. Yost: No probably there is so much ground water right now and for years I always heard that Dee Dee used to pump it out and what he used to pump it to I don't know, no one knew when I asked the question from the State the other day.

Mr. Klobukowski: But previous to this, this is not the first occurrence of that vault filling with water in it.

Mr. Yost: That is correct.

Mr. Kuhlman: No never has been, it fills with water all the time.

Mr. Yost: Like I said it is much easier for ground water to get into it the same as the sewer system, ground water can penetrate inside the pipe because there is no pressure inside the pipe itself it is harder to get it back out.

Mr. Klobukowski: Yea I understand now.

Mr. Kuhlman: I mean it is not a closed top I mean it is just a pit it is designed to hold fuel if the tank leaks.

Mr. Klobukowski: Yea it is supposed to hold the equivalent of the amount equivalent to what is in the tank.

Mr. Kuhlman: Yea so there is no way to keep rainwater and stuff out of it because the lids where they fill the tank and stuff they aren't sealed against water.

Mr. Yost: But I stuck my head down in the manhole to look at it myself and there were no obvious cracks.

Mr. Klobukowski: So you are saying the water seepage is through the manhole as opposed to a crack in the bunker itself in the concrete bunker itself.

Mr. Yost: I am not for sure about that I couldn't tell.

Mr. Klobukowski: That is my concern.

Mr. Yost: That is why I wanted to see I had the exact same concern but I couldn't tell.

Mr. Kuhlman: You won't be able to tell anything until you get it pumped out.

Mr. Yost: Right.

Mr. Kuhlman: All right anything else Wade?

Mr. Yost: No that is it.

Mr. Kuhlman: All right we got to get lined up on some dates on the charter and code book revision work for work sessions so if you want to put out an email to the rest of the Commissions to get some dates that they are open so we can get a schedule set by the next meeting. All right anything else for the Town Manager's Report?

Mr. Brown: I might as well give you an update because Link sent an email on this and I figured we would just talk at the meeting tonight but we have the Skatepark committee has met a couple times and we actually had a good meeting with Wade and John Strong I think it has been since our last meeting yea it has been so we talked about some of the basic configurations of Parcel 840 where the Skatepark would go what direction it would face, start developing kind of a working plan for the look of the Skatepark and then I floated out a set of rules and regulations that was a put together from several towns and then run past our guys in kind of a prelim form but those are the kind of direction we are going right now. Still --- refinement but Butch came up with a list of Skatepark companies today that would be willing to put together schematics of the Skatepark for us, keep in mind of course President Kuhlman's restrictions for what he expects to see out of a Skatepark which I think we can definitely work within...

Mr. Hoewing: Wait a minute are you telling me that he is controlling the design of the Skatepark?

Mr. Brown: One aspect of it.

Mr. Hoewing: He is one vote.

Mr. Brown: Out of respect for our President I think we can work...

Mr. Hoewing: I don't think you should let that guide it. If you think of a better design lets go with the better design.

Mr. Kuhlman: A nice flat lot.

Mr. Hoewing: No I won't agree with that.

Mr. Brown: Once again he just has one vote so. No we have got a design, which meets his concerns, which I think is a good idea so we are headed in the right direction.

Citizen Forum

Mr. Kuhlman: All right open forum anybody, seeing no hands I entertain a motion for adjournment.

Adjournment

Mr. Hoewing: So moved.

Mr. Klobukowski: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Klobukowski: I want to take back my second so that the honorable new Commissioner has an opportunity to (inaudible).

Mr. Hoewing: Lori actually made the second.

