

COMMISSIONERS OF POOLESVILLE
MEETING OF MAY 23, 2011

PRESENT: JIM BROWN, JERRY KLOBUKOWSKI, EDDIE KUHLMAN, LINK HOEWING AND CHUCK STUMP. ALSO PRESENT WAS TOWN MANAGER, WADE YOST, AND TOWN ENGINEER, JOHN STRONG.

Call to Order

Mr. Kuhlman: Good evening gentlemen, seeing no ladies. Welcome to the Commissioners Meeting of May 23, 2011. For the record Commissioners Klobukowski, Brown, Kuhlman and Stump are present, Mr. Hoewing is absent, as well as Mr. Yost and Mr. Strong for the Town Staff side. First order of business will be the Pledge of Allegiance, please rise, Jerry if you don't mind.

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.

Announcements

Mr. Kuhlman: All right thank you. Under announcements, a couple here, we had an Executive Session after the last meeting on May 2, present were all the Commissioners, the discussion was an interview of Michelle Roche to fill the vacancy left in the Ethics Commission and it was decided to appoint her and we will do that in just a few minutes. Right now we have a presentation from Captain Luther Reynolds of the Montgomery County Police who has graciously agreed to come here and talk to us, if you would Sir. Thank you very much for taking the time out.

Captain Reynolds: Thank you all for inviting us and let me introduce myself Luther Reynolds, I am the Commander of the 5th District, I think I know most of you here. With me tonight is Ron Hardy, my Deputy Director, and Gabe Stone, one of the beat officers who works this community, takes a lot of ownership here and has done a lot of really good work. I am going to hit on a couple things and then I will get into the drug issue and if I can't answer any questions, these guys can so we have got I think the right people here tonight to discuss this topic. One the state of Poolesville is good, this is a great community and it remains a great community, the crime rate is very low and we want to keep it that way and I know that is what you expect from us, so generally I think there is good news to report. There is a burglary, what I would call we had a burglary trend that I will share with you, it lasted about a week starting April 14 we had 4 residential burglaries on the outskirts of Poolesville and Barnesville from the time of noon, they were all daytime events, Barnesville Road, Peach Tree Road, Mouth of Monocacy Road, White Ground Road and all these events the forced entry and electronics were targeted. There have been a lot of burglaries in Frederick and our crime analyst has been in contact with the crime analyst in Frederick and they are discussing this and immediately it is not often that we have burglaries up here so when our crime analyst saw that we had 4 that week a what

we call a crime alert was developed and written and sent out to our troops, we haven't had any since then but it is something that we continue to monitor and kind of work with Frederick on. Any questions on that in particular?

Mr. Brown: I thought, I heard you had progress on that, like no arrests have been made?

Captain Reynolds: Correct.

Mr. Brown: But you were, have some kind of identification yes, nothing. I mean our own Town Staff is one of the houses on Mouth of Monocacy, I thought there was some sort of direction had come off of that.

Ofc. Stone: (Inaudible).

Mr. Brown: Right so there is a potential closure on those.

Captain Reynolds: I don't know if that is going to be related to the other ones.

Mr. Brown: Yeah this one was on Mouth of Monocacy but not, there was no discussion about a link up with Tom Fox.

Captain Reynolds: The drugs in Poolesville, in general there is drugs all around our community and Poolesville is no exception. There is a significant drug problem in Montgomery County in the 5th District, we have done a significant outreach and I am going to let Ron speak to a little bit of what he has been personally involved in, in terms of awareness, education, outreach to the schools and we've actually had some outreach here in Poolesville and made some drug arrests related to the school, someone was dealing in the parking lot of the school, I am sure you heard about that event a while ago, Ron was actually the person who took the complaint and coordinated some plain clothes assets to deal with that particular problem. The more we open communication the more we get intelligence like we did in that case, the more we can continue to address this problem. I will talk a little bit about what we have done up to this point in the past and I'd like to get Ron and Gabe to talk a little bit about what they have done and then I want to talk a little bit about what we want to continue to do but there is no debate and there is very little discussion about the fact that there is a drug problem, there is no question about it. And I can tell you it is not uncommon for us to see young adults, and this is not Poolesville, I will start more in general and then we will kind of narrow it down to Poolesville. We have had overdoses, we have had numerous deaths of young adults, we had a young lady that we actually present with, we just presented at Northwest High School who is 15, she had done marijuana numerous times before, she went in the upstairs bedroom of her friends house, a cousin had brought over some heroin, she thought if she didn't inject it she would be ok, so she snorted this heroin, and she spent 90 days in the ICU, has permanent brain damage and she is a quadriplegic, she is 17 years old now. And she does these presentations with her mother and they openly discuss this with the health officials, HHS, the Police, Fire & Rescue and the Schools and we are calling it Project Awareness, we are doing more education in the schools, I know Ron has done some education here in Poolesville at the High School. But what has happened is a lot of kids are doing prescription drugs, they will actually go to their grandparents or their parents medicine cabinet, they will grab a Vicodin or an Oxycotin or a Percocet, they will take them, they will get hooked on them, they are very expensive and not easy to get, heroin is a fraction of the cost and it is easy to get, so I don't know about you guys, when I was growing up we had

alcohol and field parties and things like that, now they have these things called pharm parties where they have pharmaceuticals in a big bowl, they dump them in this bowl and they walk into the party and they grab a handful and just take them, not even knowing what they are taking. I just can't even, it is hard for me to even register that, all the things that I have seen and that is becoming more and more common. So these young adults, teens, kids in as early as Middle School and High School are doing heroin, they are doing a variety of different drugs, prescriptions, marijuana, and it is absolutely something that we need to be tuned into, we need to be addressing, it is not a victimless crime, it's a very real problem in our communities and if you talk to our Detectives who are in charge of this in our drug section they would say it is an epidemic and I would agree with that and specifically especially in the area of pharmaceuticals and prescription drugs and the progression to heroin and other things that that entails. We have some suggestions, I guess Ron you want to speak, Ron as a subject matter expert was the Drug Commander in our Special Investigation Division for numerous years, as you know he has been a Deputy here for several years and specifically has worked some things in and around Poolesville.

Lt. Hardy: We had our Crime Analyst just go back and pull the events dating back to January 1 of 2010, just for the Poolesville Police reporting area that we have which encompasses a couple of --- and there has been a total of 34 events in Poolesville over the last year and a quarter. Most of them have been traffic initiated, traffic stops by Officer Stone and Officer Chucowski, several arrests at the High School, one at the Middle School and then everything else has been a pharmaceutical --- or CDS or follow up search warrants. Poolesville again as like the Commander said, no different from anywhere else in Montgomery County. I went into Narcotics back in 2005 and I know I think in 2007 you had a few heroin overdose deaths here that got a lot of media attention. Last year it was Damascus that had the heroin related overdose deaths. I have been out to Poolesville High School on a couple of occasions, one to do training with the entire staff after school put on by the Principal, another one to follow up on a complaint that they gave information about a student and at the beginning of the, in January we were able to make a felony arrest for distribution to close out that gap. Over the years I have been associated with the Drug Enforcement especially the last 6, most of the complaints in Poolesville have been local, a lot of people sell to each other, using with each other and there is really no big dealer out here. I know we did 2 federal search warrants and they were both for low, very low keyed distribution, which they didn't warrant their work that they did up here, (inaudible) to get any paperwork or anything that they had at the time. There have been people out here growing marijuana in their houses and their fields and it has been difficult to find because it is so densely vegetated up this way at times.

Mr. Brown: Especially this time of year.

Lt. Hardy: The hard part of getting in Poolesville is that everybody up here knows each other and they are so used to dealing with each other that we have to have an informant basically to get an introduction to an undercover officer, they have been up here several times in the last 6 to 9 months at my request, of their own operations they are just not finding the street ops that they can find down county in

Silver Spring, Wheaton and Germantown. If you look at our District you know we probably have 1 drug related --- down in Fox Chapel, Milestone area, over in Crystal Rock and probably Waters Landing, so you just happen to be fortunate to have 2 proactive officers up here that have made arrests for problems that they have been told about. Gabe gets a lot of his information from just communicating with people up here that, hey I know so and so is dealing drugs or doing drugs, and he and his partner find legitimate reasons to make traffic stops that indicates that these people are --- to use drugs or just consent to the search. You are fortunate to have someone like Gabe here, he was just awarded this year the 2010 American Legion Award for all the work he did last year, he went all the way to the southern district for his award and included Damascus, Montgomery County, southern district in Maryland, so he is very proactive, he is function monitored by the --- search warrants, stops and everything so he is out there doing everything by the law, traffic stops and searches. I don't know where Poolesville is really getting the reputation of being a drug hotspot, there are definitely hotter spots in the 5th District than Poolesville, part of it is probably because Gabe is out here being proactive and get a lot of good press out here, if anybody gets in trouble and a lot of word of mouth, but statistically there is a lot hotter spots in Germantown and Montgomery County than Poolesville. Do you have any questions I might be able to answer?

Mr. Klobukowski: Yeah thefts have been reported at one of the High School, JPMS, John Poole Middle School PTA meeting had a lady come out from the County and a lady from Damascus who was talking about her son, and one of the slides that the lady from the County flashed up that the two hot opiate use places was Poolesville and I know with opiates that the addiction really never goes away and you have to really build a strong character afterwards in order to resist it because the flashes come and the desire is always there and I guess now the trend has been that opiates are cheaper when they used to be very expensive so the kids are able to get them, but people have told me they have found needles in places, they heard kids talk about it, I even witnessed a drug transaction at the corner of Fletchall and Hughes and when I called 911 they told me are they there yet, I said no, I said but I can give you a description, well you want an officer to come out, yes, I don't remember an officer ever coming out and nothing and it is like well if I am reporting it and no one is going to come out and you are saying well if the officer didn't witness it then its like I feel like we are getting treated like --- out here, that I could describe the individual, I could describe the car, I could describe the driver of the car and how do I know it's a drug transaction, well why would somebody walk all the way down from say around Selby's down to the corner of Fletchall and Hughes, walk up to a car, bump hands, turn around walk away and the car drive off, its like they weren't coming to commiserate about past memories, that is for darn sure, but we didn't get that so I am sort of wondering like you are saying its not a problem, but yet another part of the county bureaucracy is reporting that it is a problem.

Captain Reynolds: I didn't hear him say that it is not a problem I think what he said was that it is not as significant here as some of those areas that we mentioned. I will tell you it's a problem, there is no question about it, that is not a debate.

Mr. Klobukowski: But I am hearing that per capita basically Poolesville and Damascus are the...

Captain Reynolds: If you are talking about opiate use yes the kids out in Poolesville and Damascus tend to get more hooked onto the pharmaceutical opiates than their counterparts down county that are more into the cocaine, pcp, the higher grade marijuana, so that is probably where some of the conflict is so if they start here with taking prescription drugs from the parents, the grandparents, aunts, uncles, and friends they get hooked onto those opiates and one 80 milligram pill of oxycodone goes for \$80.00, basically a dollar a milligram versus \$40.00 for about 5 or 6 hits of heroin, so you start looking at the cost factor yes it is definitely cheaper to pool your money together, send somebody to Baltimore or Washington, D.C. and get the heroin, because as you know opiates you build up a tolerance and you need more and more to what you think is going to get you to that high and you never get that same high as you did that first time you used it. But I will tell you anecdotally at least Poolesville High School has a draw of a fairly high level of academic students and programs that challenge them so when you compare it to several other high schools which I won't name, the number of problems we have here, the calls for service we have here, the issues in and around the schools we have at Poolesville are a fraction of what we have at all the other schools. Doesn't mean you don't have a problem here, but I would say that I think what Ron is just trying to convey is its not and we want to keep it that way, but it is not anywhere near the level of some of the other schools, where almost on a daily basis we are getting calls for drugs, and fights, assaults, and we are making arrests for those things, we are confiscating weapons and drugs and things like that. We are not seeing that at Poolesville and thankfully we want to keep it that way.

Mr. Klobukowski: Well my understanding is though that mostly the Poolesville kids are into it, not the 600 kids that they are busing from out of cluster here to attend the magnet program, because those kids are pretty driven with one thing, getting an education and getting into a good college, so that is what I heard.

Captain Reynolds: Well the one we locked up for distribution was a magnet kid that came up here from outside of Poolesville. But generally I would agree with what you are hearing, generally where the problem is it is --- so there is no question about it. Gabe that might be a good segway for you to just in general about what you are seeing and Gabe has made a lot of contacts and made a lot of arrests in this community, drug related.

Mr. Kuhlman: Bring up another chair if you want.

Ofc. Stone: I do try to make as many contacts as I can in the community and thanks to people who know me firsthand (inaudible). What I do I try and take each circumstance for what it is and realize that (inaudible) it is very serious or could be a very serious issue and I work with people often trying to figure out what the best solution is, just yesterday I made a heroin arrest and a family was involved and person I arrested was involved in almost (inaudible) and they said I have a problem I need you to help me address it and that happens more than you think. They are --- being arrested to try to force their hand a little bit to get into a program, we do things like that often, and we are talking to people and their families have decided to address things. We are putting a lot of effort into it and Officer Chucowski and I are up here, we take it seriously, if you come to me directly I will (inaudible) address it I am not going to blow it off. And if you have information --- because people are kind

of closed and everybody knows everybody so there is a lot of information out there and when I'm out of the loop it makes it harder to put the pieces together, so if somebody has something it may seem minor (inaudible), if I can get the information I will pursue it.

Captain Reynolds: And this is actually Gabe's day off, I asked him to come in because I know how active he is in Poolesville, particularly if there is a drug problem. And one of the things that I ask them to do is brainstorm a little bit about how we can make sure that we are following up on what information is provided and he came up with a creative idea and that is to have a email account and somehow get it out to the community where he will check that and people can remain anonymous, we talked about Facebook, we looked at some other ways and Jim you might have some good suggestions but we created a hotmail account, what's it called?

Ofc. Stone: Poolesvillepride@hotmail.com

Captain Reynolds: And anybody that has any information whatsoever, not anything urgent like a 911 call or something, of course we would want you to call 911, but if they have just information of who is dealing, where they are dealing, what they are dealing, are they carrying weapons, any information, a tag number, a car, whatever information they can provide us we will follow up on and specifically Gabe, who is assigned to this beat, is going to take ownership of that with his beat partner and not everybody is plugged in to making that a priority and just like any industry there is different levels of follow up and different interest from different officers, this is a passion of Gabe's and he has been very successful at it and so he is going to make this his project, he already has but we want to build on that.

Mr. Yost: What was that link again?

Ofc. Stone: Poolesvillepride@hotmail.com and that doesn't necessarily just mean drugs, it could be a burglary, it could be anything, I will either address it myself or get it to the right person.

Mr. Yost: Now is that something you guys would mind if I put on our town website that you could use it.

Captain Reynolds: Absolutely, the more we can get it out the better.

Ofc. Stone: The more --- we can catch --- obviously the easier we can address that but the main thing is (inaudible).

Mr. Brown: So someone will email you, you will have their email address it is going to be tough to say be anonymous with that, but it is what it is, its just another...

Mr. Yost: There are ways to do that, from our website people can make anonymous code enforcement violations and I don't know who sent it in unless they give me their name, it goes to the Webmaster and whatever site it is...

Mr. Brown: Right no trail, has no email address trail.

Captain Reynolds: Maybe if nothing else you can forward those through that filter, if somebody didn't feel comfortable responding directly to that email, maybe it could come through Town Hall and just be forwarded without any information.

Ofc. Stone: I have a lot of forwards and (inaudible) that I work with and I can't find a single one that I've ever (inaudible) seriously I have lost criminal cases because I had an agreement with them that I would not divulge who you are (inaudible).

Mr. Kuhlman: Well how, I don't know how to ask this I guess, if you approach a young person in town who you are convinced is doing drugs and have information

on it, I mean are you all leveling the full boom on first occasion or are we trying to work with this person.

Ofc. Stone: Our job is difficult in that we do have to make judgment calls every day. What I (inaudible) guys in Poolesville I never (inaudible) had I known, I have known who they were, down the line I wouldn't have given that break, but it was a judgment call (inaudible) every day I run into people or --- the way or what impact on the community will be or impact on (inaudible).

Lt. Hardy: The judicial system also gives them plenty of breaks, first offenders are usually given the opportunity to expunge their record if they go to a program or some sort of drug counseling, then they get 2nd, 3rd, 4th chances before the judge actually gets to the point where he fines them or issues jail time for possession charges. In each case the distribution charge is more serious and the person can get, a 1st offender can get a hefty fine and some jail time and part of it would be suspended if it is their first time.

Captain Reynolds: And that is our goal we call it PWID – Possession with Intent to Distribute and those are the cases that we are trying and most of these other cases we...

Lt. Hardy: Now in the case of somebody getting caught 4 or 5 times before they start having (inaudible) to where we can actually charge them is start working up the chamber. Everyone knows Montgomery County is all about education and trying to get you help the 1st few times you run into ---.

Captain Reynolds: And just like anything like take traffic for example, we call it the three E's, education, enforcement, and engineering. Each problem has different components of that, just going out and writing tickets all day long is not going to solve the problem, we have to do a lot through education and a lot of times engineering issues will address the problem and similarly with this issue, we are only one small partner in the whole approach to this, we can't do it by ourselves, we have to rely on community to provide us with information, like you are describing, we want that and to the degree that we miss leads like that well that is unfortunate and we are not doing our job as good as we could or should be doing. But we want to build that partnership and the higher level of confidence that you have, which right now at least on the one comment you made, your confidence level is low, so the higher the confidence level is the more likely people are to call and share information which is what we want. So we have to do that outreach and like Ron has done with the schools with the SRO, School Resource Officer Russ Larson, and the more we can do outreach and if there is a venue there is information that we need to be getting out, if there is a larger community forum of any type, if you see opportunities it is more than just enforcement, that is our main tool and our backup but that is not the only way to hit the problem, as you said addictions are just brutal, once someone gets addicted to an opiate we can do all the enforcement in the world and its something has got to happen where they hit the bottom of the barrel and a lot of times unfortunately tragedy or whole families gone down the drain a lot of times by the time it happens.

Lt. Hardy: We are partnered with Health and Human Services, State's Attorney's Office, the schools do a lot of education.

Mr. Kuhlman: I think the majority of us that live up here realize that we are a safer part than the rest of the county and we have less crime, we would like to have these meetings with you all to be brought up to date and we appreciate your time and we have been hearing from even people outside of the Town, that Poolesville is getting a name for drug haven, so that was my concern to you out in the hallway was about the drugs. Is there anything that we the elected officials can do to help you in any form of crime fighting up here? This place is available if you want to have meetings up here with the citizens and try to inform them, we put out a newsletter, we are glad to incorporate things that you might feel would be beneficial to be put out. You know what can we do to help you guys?

Captain Reynolds: All of the above I think. We can get information to Jim through the website, I think to have a meeting if you think people will come, we'd be more than happy to have a community meeting. I think just the whole concept of awareness of these issues and bringing parents together, it is hard and you all as elected officials, leaders in this community I mean you are spending your valuable time tonight here and there are not a lot of people in attendance, sometimes there is a lot of people, sometimes there is not. I know how challenging that is, I will tell you, I am passionate about this drug problem because if we save one person it is worth it, its all worth it and I'll tell you when they hear people speak like that young lady I spoke about earlier who tried heroin, who is now a quadriplegic, when they hear her that audience at Northwest High School and Damascus there is no question in my mind that those kids who maybe were on the fence, who won't try drugs or at least won't go any further than they've already gone, because it is a reality check and it does have an impact and there's a lot of people that think drugs are like a victimless crime and you shouldn't be out here making arrests, we got better things to do with our time, but I will tell you we are seeing people's lives that are impacted big time, it impacts the economy, it impacts the quality of life these people once they get addicted they are out committing crimes and huge numbers of crimes, and when we see big spends, typically once we make an arrest it is somebody who has a drug habit that they are trying to address and they have no other way to address it, because they have a bunch of convictions, they can't get a job, they are not educated, and they are basically giving up so they just go to a life of crime. So it is absolutely worth our time and our effort, I think if there is a venue to answer your question where we can have a meeting up here and invite a larger community group, maybe there is a school event with a PTA or something where there is a draw and we could just give them a few minutes if you have any suggestions we will be there.

Mr. Klobukowski: I will be frank with you as to the PTA's, the parents that come are the ones that concerned, the parents you want won't come. Last time I recall a really large meeting at the high school, this was back in I think the late 90's, early 2000, was when they had the largest crowd I ever saw, the library, the media center was packed, after that it seemed like you get just the board, or if there is something happens in the community to a student or something then all of a sudden you get the parents who come out of the woodwork because they think, oh my son knew that girl or that boy or I saw them around, I want to go see what they have to say, and that is the toughest when we have as many people, parents involved in so many sports, clubs and stuff with the kids, trying to get them sometimes one night to focus

on this extremely important topic, is it your presentation or is it soccer or baseball, and I would go to your presentation, I am not worried about whether he can hit a pitch, but a lot of parents I don't know where they get a lot of parents who are in denial too.

Captain Reynolds: One caveat I will just throw out as well is as a follow up with the email account and with trying to get more proactive and maybe even bringing up some other units here and I've got some ideas, if it means more people being stopped and the other side of it is, we get complaints well how come I'm getting stopped or how come why are you guys all up here and my previous assignment in the Special Operations Division and we have a couple teams called the Police Community Action Teams, a group of about 8 patrol officers that go out in areas where we have particular problems and they just for lack of a better term they problem solve and if I was to bring them up here I think they could do some good in partnership with Gabe and some other approaches, but the caveat is that maybe when there is a bunch of cars up here stopping people there will be some backlash and some push back also, and we want to build the community's trust and I know there is a very high level of support for the police here and a very high level of trust and I want to build on that so that is always a concern also.

Mr. Kuhlman: No we appreciate everything that you do and like I said earlier, I think we all realize we live in a fairly safe community when you look at other parts of this county and we are very grateful of that and like to keep it a little bit better.

Anything Chuck?

Mr. Stump: I have a question yeah. This is just information and a question that I generally get asked and 4 years ago I knew the general answer but I think it has changed. Can you summarize what the general coverage/patrol activity is like in this part of the county and touch a little bit on general average response times and probably some worse case response times, just in general, because this is a question that I get asked from time to time and I know the information that I have is a couple years out of date.

Mr. Kuhlman: Do a ride along. You will get a lot of answers. It is interesting I've done them.

Captain Reynolds: The 5th District is everything from Poolesville to Clarksburg to Germantown to Damascus to Laytonsville, that whole area. It is about 240 square miles, which is almost half the county. Our district is almost as big as the other 5 districts geographically put together. The 5th District is the, of all 6 districts, now is actually one of the slowest, if not the slowest in terms of calls for service. As a result although geographically we are large, our staffing levels are probably the smallest of the 6 districts. The response times for Poolesville are going to be unique and different I don't even, I'm almost, can you give us a number Ron, I don't know if you have numbers in mind but we have officers assigned, we have 6 beats, one of them is Poolesville, one is Damascus and then you have smaller areas, so we have our backup officers typically in Damascus and Poolesville so that if they need somebody they also have a backup and that is what Gabe was talking about as his partner being his backup. At any given time they may be all over the place and they may be down in Germantown, I know I haven't worked this district in patrol, it used to be Gaithersburg and the Germantown district, which is now 5 and 6D were all one

district, and at the time it was the busiest district in the county, I remember going from Montgomery Village and Lakeforest Mall, Code 3 all the way out to Poolesville at the McDonalds here and going for a half hour Code 3, lights and siren, and so...

Lt. Hardy: It's hard when you have a shift of Sergeant, Corporals, and Officers factoring these, they actually have a Sergeant or a Supervisor working with 8 or 9 officers covering over 200 square miles, that is not a lot of coverage. And if beat officers up here are in town, that is great they have a very short response time, but lets say there are two incidents going on in Poolesville and Gabe and his partner are tied up on a domestic violence, where do those other officers come from, not downtown Poolesville, they come from downtown Germantown, or Clarksburg and them speeding here is going to take a good 15 to 20 minutes, the way the roads are winding and everything and traffic. If it's a non-emergency call it can be held up to 2 or 3 hours.

Mr. Brown: If it is non-emergency?

Lt. Hardy: Non-emergency.

Mr. Kuhlman: Link anything, Chuck was that it?

Captain Reynolds: Does that answer your question?

Mr. Stump: Yes was just looking for some generalities so if people ask I can answer accurately.

Captain Reynolds: If it is an emergency we try to get there in 10 minutes, seems to be the average out in Poolesville.

Mr. Kuhlman: Do you still offer the Ride Along Program?

Captain Reynolds: Absolutely.

Mr. Kuhlman: It is very interesting to do, I have done it.

Captain Reynolds: Yeah I would encourage anybody to do it, we can set it up.

Mr. Kuhlman: Because like you are talking about Chuck, we ended up in Damascus one night, backing up over there from Poolesville.

Captain Reynolds: I will tell you that one of the things that is unique about the 5th District that I really enjoy, and I enjoy a lot about being in this Command but, there are veteran officers and you know some of them Mike Bupp, I mean guys who know this community in their sleep and when something happens they do a heck of a job. I mean they know what they are doing, they need very little guidance, there is not a whole lot of drama and they are low maintenance and they go out and get the job done very well. So I think that in terms of being familiar with the beat, there are some guys that know if there is a cow loose, they know who the farmers are, they know their cell phone numbers and call them up and tell them to come pick their cows up or horses or dogs or whatever. So we do have that level of service which is saying something in these times and with all the turnover that we have had and all the growth and all the changes in the county, we still have some of that right here in Poolesville and that is pretty impressive.

Mr. Klobukowski: I can testify to the cow, I ran into that one time. You said 240 square miles is your district, how many officers do you have for that?

Captain Reynolds: We have about 100.

Mr. Klobukowski: 100.

Captain Reynolds: Actually that includes our supervisors and it is a fairly small number.

Mr. Klobukowski: It seems like Germantown, I read the like everybody else does the Gazette and the Thursday morning Montgomery Extra where they talk about all the home sales and all the crime in the various districts and it seems like Germantown, Gunners Branch is one of the big ones but it is always Germantown, Germantown, Germantown and Germantown, not that I mean I feel sorry for those people in Germantown, not that I want to see Poolesville, Poolesville, Poolesville but its like I am looking at all this and wondering where are all these officers coming from, you've got from Laytonsville to Germantown and Clarksburg. Now are they going to put a substation in Clarksburg?

Captain Reynolds: There is no plans right now. They are doing workload analysis, one day we will probably have a 7th District. Clarksburg over the last 10 years was the greatest amount of growth in the county of any other area in the county, they grew by about 10,000, a lot of diversity, a lot of business, economic development going on in Germantown, a new hospital going in at the Montgomery College Germantown Campus, a full size hospital. There is a Wegman's going in right near the Milestone and a lot of other associated economic development and when you look at the planning for the next 5, 10, 15, 20 years, there is a lot of mixed use residential business, midrise development, right where the movie theatre is, where the police station, in fact there is a question mark whether we are going to remain in that facility or whether we will be relocated so there is a lot of, it's a good question I don't have the answer but there is a lot of crunching of numbers, of workload analysis and when do we need to create a 7th District, if we do where will that be located and will it be in the Clarksburg area or somewhere else in the county and how is that going to affect staffing and workload, those are all things that are ongoing discussions.

Mr. Klobukowski: One last question I have. You mentioned earlier about coordinating with Frederick, how often does, does anybody sit there, is there a Frederick/Montgomery County Police sort of committee or group that sort of gets together and shares the information, is it automatically populated to each other, say look we've got this type of burglary going on in our area here and it basically pings out and says are any other crimes in Frederick County exuding the same characteristics that, so you basically say aha it looks like they started in lower Montgomery County and are progressing right up through 270 and 15 sort of thing.

Captain Reynolds: There is not a committee but we have a very good working relationship with Frederick County, Frederick City, even one of the cases I am trying to think about where the guy was going around killing people and he got caught up in Michigan and he had crimes in Leesburg and they thought that he was on the Ferry and a good friend of mine, the Chief in Leesburg Jim Price he was actually a former Major on our Police Department, so there is a lot of good conversations that we have, I just had lunch with a informal relationship Major on the Frederick County Sheriff's, a good friend of mine and we talked about exchange of information. Probably the most important ones though is as the crime analyst level, which is what I referenced before, if we see a pattern they have a good dialog and they talk and they share data and information and stats, where was the point of entry and was there any evidence collected, what is the time of occurrence and was there a tag

number and start to put the pieces together, so there is a good open sharing of information.

Mr. Brown: I've got a couple of questions. Thanks for coming up you guys. Mr. Hardy how often are the plainclothes inside the high school? Is it on a regular basis or is it on a case basis where you have suspicions?

Lt. Hardy: Case basis, they usually do surveillance on the outside.

Mr. Brown: Is it usually by the SRO's request that...

Lt. Hardy: The SRO is usually --- of information given out. I know with our SRO there is a drug background so if there is a problem at our schools, --- different schools and see what resources I can bring there. At Poolesville I was able to bring our power shift up here for a couple days, that is basically with some pharmaceutical stuff we referred that over to the special investigation committee, but different levels of ---.

Captain Reynolds: Just to use that as an example, that arrest where we caught the dealer who was dealing in the parking lot, that was all based on good info that we got, somebody told us and it was the SRO that took the initial information and got great repo ire with security and security is actually very proactive up here and they said here is the guy, here is his name, this is his MO, this is how he is dealing, this is what he is doing and this is how he is doing it, what times, what he is driving, and based on that Ron put together a plan in just a matter of days and we've got a lot of good success stories like that, those a lot of times are driven by the intelligence and the information, we don't have a team we just send out anywhere randomly, just whenever we have a pattern we work it.

Mr. Brown: I have 5 kids that have gone all the way through the school system and they have, it was really funny on that instance, there had been some discussion about activity going on and it funneled down to a point where that was when the arrest was made and it blew up again on the downside on Facebook and everything else, so I know your monitoring Facebook and it is smart because they all talked about it afterwards as well. So it was, that one single event was a big deal at the high school.

Lt. Hardy: It had a big impact on what was going on in the school, not necessarily with kids after school or around town, on the side roads.

Captain Reynolds: I would just encourage you all if there is ever a time when we are missing something because I know you monitor things closely all the time and if there is something we are missing let us know and we will get right on it. In this case it was a great example of where they shared information, the timing was right and it worked out.

Mr. Brown: You know it is crazy, hopefully my kids aren't ever involved but they all knew about what happened, who it was, who they were, who was buying from them, etc., it was shocking how much information they really have.

Lt. Hardy: And if we look back we probably did the same thing when we were in high school, we knew who was the dealer, deals going on in the bathroom or somewhere in the school and we never took the initiative ourselves to report it to anybody.

Captain Reynolds: And I'll tell you what is worse about that is there are some schools that don't really want it kind of open that they have a problem and just kind

of brush things under the carpet I mean that is just the reality in some places. In Poolesville when this came up, immediately they notified us, and they immediately said here is the specific information, we need your help, we will do anything we can, the security staff, the school, we want this guy nailed, we are hearing this information, whatever it is that we can do to help and collectively that is why we had such success. So not to make more of it than what it was but it did send a good message.

Mr. Brown: Great message.

Captain Reynolds: And it is something that we need to continue to do, it was a downright success, but it couldn't have been so if we didn't have that relationship in place, if they weren't so open and desirous of tackling the problems.

Mr. Brown: And my last thing Officer Stone I guess it was when Commander Didone was here, he had a dialog with a resident involving you and the resident, and the I guess the stopping, the periodic stopping of the same people etc., I can just tell you that that was just one isolated case and be as vigilant as you have to be across the board, I wouldn't really worry too much about having an image issue with that, because I think the image that you do have is that you are very, very tough but also fair and I have heard that from my own kids who know about you and your work up here, so keep up the good work and don't cut anybody any slack, do what you got to do and I make sure my kids tail lights are all working.

Mr. Yost: I was going to say arrested the kids last name was Brown?

Mr. Brown: If you follow them to the big yellow house, come there and just come on inside if you want. Thank you that is all I have.

Mr. Kuhlman: How is the traffic stuff going up here?

Lt. Hardy: Traffic is probably getting to be a little more problematic especially this time of year with the better weather, the higher amount of traffic coming across the Ferry and through town. There has been a couple bad accidents. So we are working with that in addition to drug trafficking.

Captain Reynolds: You tell us what are your concerns?

Mr. Kuhlman: Well I mean the cameras have seemed to have helped on the main street a lot. People are learning that the camera going outside of Town this way is decommissioned so speed is picking up a little bit. I have heard a couple people say that speeds picking up going out of Town that way because there is no camera, but yet you hear a lot complain about that 25 mile an hour traffic kind of thing out there. Still hear some rumblings about some speeding within the subdivisions but we are putting in speed humps as we repave trying to curb that.

Captain Reynolds: They have a very mitigating effect, I mean they are very effective, although I know a lot of people don't like them and they are controversial, they work.

Mr. Kuhlman: And you still get your dollars. Like Dougie he will come up the road 60 miles an hour it don't matter he just over em.

Lt. Hardy: Do you have a specific area that needs at least some monitoring? I have a couple of interns that we are trying to train for that, speed surveys and send them out with placards on standing there with a lazar (inaudible).

Mr. Kuhlman: Damn I don't want to give you anything I might get nailed.

Captain Reynolds: They can't give tickets, they can only give warnings.

Mr. Klobukowski: Now with the weather turning generally on Friday and Saturday nights and sometimes weeknights you can hear guys on motorcycles, race rockets going through town and also cars, it sounds like they are doing donuts, squealing, running up and down Hughes Road, Westerly or whatever going around midnight or so.

Lt. Hardy: Race Rockets seem to be everywhere, I was down in Bethesda earlier today in my own personal vehicle and three of them were going up Connecticut Avenue.

Mr. Klobukowski: Yeah but I mean like at 3 in the morning when you are trying to get to sleep or midnight or something you are trying to get to sleep it gets a little annoying.

Mr. Kuhlman: Earplugs.

Captain Reynolds: Move to Damascus it is quieter.

Mr. Kuhlman: The only thing that I have noticed lately that seems to be on a rise is passing on double yellow lines outside of town, either going down 107 or out 109 it just seems like almost every other time I go down there somebody is passing on a double yellow line.

Lt. Hardy: You have had some serious fatalities on that road too.

Mr. Kuhlman: Yeah but again we thank you very, very, very much for your time to come up and your willingness to listen to us and update us and as I said Mr. Yost is available 5 days a week and whatever we can do to help you guys do a better job and make it easier, we are willing, as I said we run that quarterly newsletter, we have a website, whatever information you need.

Captain Reynolds: Wade and I have a direct line and we have a great relationship and it is a pleasure being a part of Poolesville, this is a great community and to the degree that we need to help out in whatever ways we can, don't hesitate, I read Jim's email.

Mr. Kuhlman: I guess in all fairness is either one of our audience members have any questions they wanted to ask?

Speaker: I would like to ask if you thought it would be helpful to (inaudible).

Captain Reynolds: Absolutely.

Lt. Hardy: The question I ask you is whether the Town can through the local paper, tell people whatever information you need out.

Captain Reynolds: We actually talked about that and I am glad you asked that question because I was asking Gabe if he had any ideas and he had a few good ideas and among those one of them was when we make an arrest if there is no sentence to publicize and make it known and that is something that we do in other areas and I think that it is fair at times, its not out of bounds.

Lt. Hardy: We would ordinarily without (inaudible). We talked about it a long time and decided (inaudible).

Mr. Brown: Actually a profile of Ofc. Stone would be a great idea, because not that you could use positive pub but it will be fair and balanced pub, which is a good idea, and we will help. I think it is a way to build trust, you know some of the other officers in our community said, he was talking about Jeff Onley and Mike Bupp those guys, they are very well known up here, and I think Ofc. Stone just because he doesn't live here has a little bit more on the other side of the coin in terms of how

people feel about him, and he really is a, he is not a neighbor he is a guy that is up here busting people.

Mr. Kuhlman: Damn we can fix that, we've got plenty of houses for sale right now, you could move right up here.

Mr. Brown: Yeah join the crowd. Anyway great idea.

Mr. Kuhlman: Bob did you have anything? All right.

Mr. Klobukowski: I have one more. I am sorry I am the polish version of Columbo. I don't know if we need to ask here or not but is there any, do you know if they are going to increase the number of officers at the Germantown station, or there is any plan to do that.

Captain Reynolds: I can tell you that not for the rest of my career. Actually let me just hit on that briefly because that is a question for these communities, rightfully so I think have. Our Chief, Tom Manger, when he got here he developed a staffing plan and it is pretty extensive and it is not just officers per capita, it includes specific crime trends including the traffic issues, it includes a lot of different factors, not just our population but...

Lt. Hardy: Emerging crime trends with computers and cell phones. How the crime is progressing as well.

Captain Reynolds: And so the macro and then I will kind of get into the micro of this district and this community. The macro is that he came here and he wanted to grow by 50 per year, and at that time it was only 7 years ago, Doug Duncan was the County Executive and he was as you recall kind of running for the Governor's Office and public safety was a priority and everybody bought off on the plan. County Council all has a copy of it, and everybody agrees that we need to grow. We got up to a little over 1200, a couple 2 or 3 years ago and we were headed to maybe 1400 or there about. We in the last couple years have gone down and we are down below 1150 I think now. To the tedious credit and I think to the County Executive's credit, public safety and particularly the police department in these tough times, with this \$300 million dollar deficit and all the other cuts that they had to find and all that entails, the Police Department's budget actually went up some and in order to make that argument for additional staffing he looked at the busiest areas in the county and one of them is ---, which is in the 3rd District in Silver Spring, in the Silver Spring CBD and some of the things that are going on down there with gangs, and calls for service, and a lot of other things that is off the chain compared to our district, so he was successful in making that argument, those things have been funded, and we have even despite as tough as the economy is we actually have a small recruit class coming in July of this year. We at the same time have what is called a Drop Program I am not sure if everybody knows what that is, it is a discontinued retirement service plan, so we have a lot of people, yours truly, included, Ron and another Lt. at my station and a few senior Sergeants are going to be going out within the next year. So we have a lot of people that are retiring, at the same time we have other priorities in the County in Silver Spring and Wheaton in particular and I think the long term answer is yes, we are going to have more staffing, the short term answer is we are going to have to make due and make the most before we have it, get the greatest return on investment of our existing resources and for me to tell you anything else would be, it would really not be accurate. So short term there is not a lot of new

resources coming in, longer term there will be incorporated through the new staffing plan, the department will grow. But if you look at the existing priorities in the County, your busiest areas in the County and the staffing level that we currently have, the 5th District is not going to grow in numbers in the short term, if that makes sense.

Mr. Kuhlman: One thing that hasn't been touched on tonight, and then you can wrap it up real quick. Gangs, are we seeing many gangs up this way, or gang influence, organized gangs.

Captain Reynolds: Yeah I will let you guys speak for Poolesville in particular, but I can tell you in Germantown and the 5th District we have a gang influence, I mean we have the real McCoy and its something that is growing in the county in general, we have significant tracking of gangs, we have actually just within the last year created 2 gang teams, a north team and a south team and we have a team assigned and a team leader and a group of officers assigned who work this district, the 6th District and the 1st District at the same time, they float around all three of those districts, and they give us a report, a weekly report and I can tell you in reading those reports there is gang activity and there is a lot of different types of gangs and I don't know if you want to speak to anything up here in particular.

Ofc. Stone: There is a little bit of activity up here but it is not I would say it is --- there are some gang members up here but most of the activity is centered elsewhere.

Mr. Brown: So they are commuter gang members.

Ofc. Stone: Some of the younger guys (inaudible) who live in Poolesville are gang members but its not (inaudible).

Mr. Brown: Its not organized here per se.

Lt. Hardy: The definition of a gang is basically three people that have a common interest and have a propensity for criminal activity. There is a lot of wannabe's out there that really aren't into the criminal activity, but they call themselves a gang. But most even in Germantown we have gangs but they are still committing a lot of their crime either down county or Prince George's County or D.C. or Virginia.

Captain Reynolds: I can tell you that just as recent as this past week we had information that they put a hit out on a Police Officer. So that is the National Capital Region, as Ron said more down toward Silver Spring area but Poolesville no I don't think you have a whole lot.

Mr. Kuhlman: Good.

Lt. Hardy: When you think of gangs you probably think MS-13 or --- the ones that we know about, but there are a lot of offshoots that are affiliated with them and a lot of them just call themselves gangs with 3 or 5 people that stand together.

Captain Reynolds: And we have something that is what it is, but we attract we have a lot of house improvements, HOC and other types of housing vouchers and affordable housing programs that I think are great programs and there is really needy people that I think it is a good thing that we have that for some of those families, but there is a fraction of those that are attracted to our community that are bad apples and they come from D.C., Baltimore, Prince George's County and they are coming right here to live in our communities, and are committing crimes in our schools, they are committing crimes and creating havoc with some of the schools, it

is not easy to get them kicked out or suspended or expelled because when they get kicked out of one school, they typically go to another school and so the very small percentage with some of those people also are committing crimes and are gang members and they will come from intercity D.C. maybe and they will come to Germantown and then we've got that problem we have to deal with.

Mr. Kuhlman: Wade did you have anything?

Mr. Yost: Nope. I am going to contact --- because I --- on the record.

Mr. Brown: Like what we talked about earlier today?

Mr. Yost: Yeah that is one.

Mr. Kuhlman: All right Gentleman, thank you very, very much, appreciate it.

Captain Reynolds: Thank you very much.

Mr. Kuhlman: You are welcome to stay if you want to. All right for the record let it reflect that Mr. Hoewing did show up about an hour ago.

Mr. Hoewing: For the record I wanted to note that Partnership Road right at the end, 15 feet from the end, a tree had fallen down, I had no alternative so it took me 15 minutes further to get here.

Mr. Brown: And for the record I will announce that Mr. Kuhlman started the meeting 5 minutes late waiting for you.

Mr. Kuhlman: Now that we have gotten it so deep in here we are going to need snorkels, lets move on. Any other announcements?

Mr. Klobukowski: Yes I got a couple, one the stars were out in Poolesville on the 19th of May at the performance of the Poolesville Youth Symphony Orchestra, which reached a new plateau in their stunning performance of pieces by ---. Sandy and I can't think of the other Conductor but Heather Sprague the JPMS music teacher and along with her students who are members of the Poolesville Youth Symphony Orchestra gave a really stunning performance and it was really enjoyable. The other thing is the last 2 weeks generally you don't hear it that often up here but I have heard the Navy Hymn sung twice in 2 weeks, one for George Kephart, Sr. who was a Coast Guard Officer, he did search and rescue during World War II, and the other for another up county fixture, Father George Reid who passed away. And Father Reid if you go up on his tombstone you will see on the front it has two inscriptions on it, it says U.S. Navy Corpsman and underneath that Padre, and he was very proud of being in the Navy and with that I sort of paraphrased a one of the verses from the Navy Hymn that was written for a ship upon its decommissioning, which goes "when at length her course has run, her work for home and country done, of all the souls that sailed on her let not one life in the have failed, but here from Heaven our sailors cry and grant eternal life on high", my paraphrase to that is "and now at length their courses have run, their work for God, congregation and country and *community done, protect the souls within them that sailed, for thee oh God they never failed. But hear from Heaven our sailors blessed cry and grant them eternal life on high". And they were quite a couple of guys and I know from talking with Mr. Kephart every time it was a learning experience and with Father Reid it was also a learning experience so I think we all are going to miss them, thank you.

Mr. Kuhlman: All right anybody else?

Mr. Brown: I just want to say that I was the Career Day presenter today again for the Poolesville Elementary School, however I did not do my full presentation because I

couldn't talk but I did do the 5th graders, I worked up kind of a curriculum with those guys counselors about what the keynote speech would be about and just for the Commissioners perspective, it was "How to become a Millionaire" and we talked about all the things about staying in school and how much more money you can make by staying in school and going on to higher education, etc, and it also gives you deductions and we were allowed to be pretty explicit today and based on what the Police Officer said for drug and alcohol abuse and the biggy was getting a neck tattoo.

Mr. Klobukowski: That is a deduction?

Mr. Brown: That is a huge deduction.

Mr. Klobukowski: Oh for making your million dollars.

Mr. Brown: Right you won't be a millionaire if you get a neck tattoo. So it was a lot of fun and the 5th graders have a great time with it and we play along actually Mrs. Bodwin who has been a long time Guidance Counselor she puts on a fake neck tattoo and then when she comes and thanks me for the presentation I like pull her collar down and there it is sitting there, the kids get a real rise out of it but then we pull it off of course and say it is fake.

Mr. Kuhlman: As announced earlier we did have an Executive Session after our last meeting and the Commissioners did interview Michelle Roche for the unexpired term on the Ethics Commission and it was our decision to appoint her and we welcome her to a term that ends on 4/1/12. All right with no other announcements we will move on to approval of the minutes of the May 2 meeting which include the Executive Session, is there a motion for approval.

Approval of Minutes

Mr. Klobukowski: So moved.

Mr. Kuhlman: Second anybody?

Mr. Hoewing: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: All right passes unanimously.

Open Forum & Citizen's Comments on Agenda Items

Mr. Kuhlman: Open forum & citizens comments on agenda items. Either one of you gentlemen have anything? Ok both of them shaking their head no, good.

Old Business

Mr. Kuhlman: Ordinance 184 Wade?

Mr. Yost: Ok comments that were offered at the last meeting regarding the one Ordinance that we had and tried to fabricate two different Ordinances out of it, so lets start out with 184 and 184 is the one that really just kind of takes away the ambiguity we have in our Code regarding October 2009 we adopted a Ordinance that did not allow recreational vehicles to be parked on the roadway or the public right of way, the ambiguity was in those sections of our Code that said that trailers could be parked on the side of the road adjacent to your property, we cleaned that up and clarify exactly what a trailer is by definition it is part of a recreational by definition and it will not be allowed to be parked anywhere the way this is written now.

Mr. Kuhlman: All right any questions? All right what date are you suggesting we set that for a public hearing for?

Mr. Yost: It would be the first meeting in June, the 6th. The 6th of June.

Mr. Kuhlman: June 6th.

Mr. Klobukowski: I do have a question with respect to 1) on the trailer thing where it says paragraph 2 – bullet 2 – talking about what the definition of a trailer is, it says designed to carry people, is that really true you can carry people in a trailer.

Mr. Kuhlman: Travel trailers.

Mr. Klobukowski: Well yeah if you are down in Texas but I know they used to have trailers, we used to call them cattle cars in Europe to get you from the plane to the terminal but that is lawful then.

Mr. Yost: This is straight out of the Maryland Code.

Mr. Klobukowski: Ok and then the other thing is it just dawned on me, what about the kids, the seniors or some of the others who put on floats for Poolesville Day or for they used to have the Homecoming Parade, is this going to screw up any of that, is that going to impact that?

Mr. Yost: Only if they were blocking the roadway or have it on the street for 2 or 3 weeks at a time.

Mr. Klobukowski: Ok because sometimes I see them they are parked in a swale.

Mr. Yost: I have never had a complaint and we only enforce on complaints.

Mr. Klobukowski: Ok I just don't want to have an unintended consequence.

Mr. Kuhlman: All enforcement goes through Town Hall and I think we have a Town Manager who has brains enough to realize a few things. All right if that ends that conversation we need a motion...

Mr. Klobukowski: I would say many things not a few.

Mr. Kuhlman: All right we need a motion to set Ordinance 184 for a public hearing on June 6.

Mr. Klobukowski: So moved.

Mr. Kuhlman: Is there a second?

Mr. Stump: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously. 185, Wade.

Mr. Yost: Ok again I tried to incorporate everybody's thoughts on this one, there was a whole lot of them that came out of it, so I narrowed it down to it is only going to impact vehicles that park in a right of way and destroy the vegetation and not on private property, I know that was one issue we were looking at. Ok the other issue was certain specific timeframe, something Jerry had brought up, and we gave it a 30 day timeframe unless it is extended by the Town Manager due to extenuating circumstances which would mean just if it was January or February timeframe obviously grass will not be able to grow back until springtime and then there is subject to fines if we have to come in and fix it then legal action will be taken so that the cost is born by the property owner, so it is kind of a three pronged comments that I received and tried to incorporate them in for the 2nd draft.

Mr. Kuhlman: Any questions?

Mr. Stump: Just generically fines are subject to this section, would that be actually section 12 out of 22 penalties generally, is that generally the same section that all other areas of this refer to for the penalties.

Mr. Yost: They all do yes.

Mr. Hoewing: I haven't figured an answer out to this but I still don't support it because a lot of times it is not caused by the property owners, the next door neighbor parking and they do it repeatedly, my daughter in this case and it is not her fault and she told them not to park there and they caused the damage and then she has got to repair it, I don't get that.

Mr. Klobukowski: Well why couldn't we say based on the vehicles property owner.

Mr. Hoewing: Well yeah if you could find out who it is.

Mr. Klobukowski: No the owner of the vehicle. Couldn't we say something like that because then you eliminate that problem, because if someone else parks in their spot and the person has told them, I mean I don't know. The other question is what about ok causes erosion, what if like on Dowden Circle I saw like 3 cars parked half way up in the swale and then the others were at like an angle to the road and the rear end is in the swale, the upper part is in the yard and you are talking what about drainage too, a problem there of course the drainage problem would probably relate to the loss of vegetation and erosion but in the wintertime you have got to plow and you've got no place to push the snow except right there and I can hear these people complaining that you plowed them in.

Mr. Yost: Well we did and they didn't actually complain surprisingly, they were packed in very tightly.

Mr. Hoewing: Maybe one way to deal with it and I haven't figured out how to write it yet but it could be that when you have the section that says failure to make such repairs within 30 days or failure to report a license number for a vehicle not owned by the property owner that is causing the damage to the Town Hall or something, that might be a solution. They told the neighbor and of course they just blow it off.

Mr. Yost: I will ask Jay about that because typically our idea is to fix it ourselves and then...

Mr. Hoewing: Yeah but then (inaudible) they shouldn't have to pay for it.

Mr. Yost: Right I can understand that.

Mr. Kuhlman: How many homeowners, I mean how long are you going to let your neighbor pull off and park there in what most every homeowner calls his grass, until you start complaining yourself?

Mr. Hoewing: Well they did complain but he didn't do anything, I mean he kept doing it, what are they supposed to do, go over there and shoot him, I mean it is their son doing it but they told him and he just keeps doing it.

Mr. Kuhlman: He keeps pulling off on the grass in front of your place?

Mr. Hoewing: It is her place, it is her house.

Mr. Yost: There is no law against it.

Mr. Hoewing: I think that is going to be fairly common I bet you a lot of this is not caused by the homeowner parking, it is somebody else doing it.

Mr. Kuhlman: The mess we are seeing like on their street, it is the homeowners causing it.

Mr. Hoewing: I am sure that is mostly the case but this is one where it is not and I don't think...

Mr. Yost: Well I can think of another one also where it is one of the homeowners who has destroyed their own and are also parking on another person's property.

Mr. Brown: Why can't it be the license, the vehicle holder?

Mr. Yost: Maybe it can.

Mr. Klobukowski: Jay hasn't looked at this?

Mr. Yost: Yeah we sat down with Jay, we went to see him Monday because he went out of town for the last few weeks and he comes back on Wednesday, so we sat down and drafted all this and I just want to run that by him to make sure that we can do that, or what the best mechanism is to do that.

Mr. Brown: Would you have a problem with it being that way? You are the one who has the experience of having to deal with it on a day-to-day basis.

Mr. Yost: No the problem is if Jay can back up whatever we have to when we go to court that is all I am concerned about. No matter what doing the code enforcement is very difficult at times.

Mr. Brown: Well of course.

Mr. Kuhlman: Link do you have a problem with setting it for a public hearing for June 6 as it is?

Mr. Hoewing: No but I would like to talk about that issue.

Mr. Kuhlman: All right so if you can let Mr. Gullo know to do some research and be ready on that issue Wade and with that is our motion to set 185 for a public hearing on June 6.

Mr. Klobukowski: So moved.

Mr. Kuhlman: Is there a second?

Mr. Hoewing: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: Just as a sideline note now that we have set those 2 public hearings you guys realize that the Bill failed this past year on the advertising down at the state level, but we just set 2 public hearings tonight that by our Charter we are required to advertise in the newspaper, we might want to consider at some point looking at changing that to for where we require public hearings to be advertised just on the website in the future. If you want to think about that for a couple meetings and then we can discuss it. But there are certain things that we require, public hearings and notices, and we have just adopted the state language, we could change that and lower our costs and I think it warrants looking at.

New Business

Mr. Kuhlman: All right new business. Dr. Dillingham Tot Lot, Wade or John.

Mr. Yost: Yeah I put a memo out to you guys as well as a matrix I put together for the Parks Board. We put together an RFP for the Dr. Dillingham Tot Lot and sent it out to 6 vendors that are actually on MML's vending list just to ensure that the most reputable companies in the state received it. Four of them responded, there you see the breakdown. Taylor Sports Recreation is the recommendation from the Parks Board to move forward with, the RFP was not to exceed \$75,000.00 and we have a \$60,000.00 grant from Community Parks and Playground and \$15,000.00 of our

own money in the FY11 CIP account 2035. Taylor/Miracle Recreation came in at \$73,863.00 they are the largest part, they are the only ones that put a drainage system, which was one of the requirements that I always have in the RFP, they were the only ones that addressed that and they have a 3 bay swing, everybody else was 2 bay swing and you can see the picture there it is a very nice park. They are the only company that actually showed up out there and met us out there in the park and measured it and said you might want to configure it this way and rather than just having a rectangle box, they gave us a square footage price of about what it would be.

Mr. Hoewing: Where are they based Wade?

Mr. Yost: These guys are actually out of West Virginia.

Mr. Klobukowski: We use them a lot though right?

Mr. Yost: They have done our last 3 parks. They do a great job, they have an installer that is from Laurel I believe. He did a real nice job.

Mr. Klobukowski: This doesn't look like a tot lot to me.

Mr. Yost: \$75,000.00 tot lot.

Mr. Klobukowski: If you look at the Lori Gore tot lot, which looks like a tot lot and then you look at this, this doesn't look like anything like close to being a tot lot.

Mr. Yost: No, what we have here is two age groups, we separated them out, the Parks Board likes to do that, we have a 2 to 5 range age group equipment and then a 5 to 12 year old equipment range group and then they have a swing set separately and you see the extra bay that is where they put the handicap swing, I also had them incorporate this --- grant. Everybody else had the handicap ramp in with the other 2 bays, which is not appropriate it, they should be totally separate.

Mr. Kuhlman: All right any further questions or comments?

Mr. Brown: I would like to make a motion that we approve the moving forward with Miracle/TSR for the contractor for the building of the Dr. Dillingham Tot Lot.

Mr. Kuhlman: All right is there a second to the motion?

Mr. Klobukowski: Second.

Mr. Kuhlman: Any discussion? Hearing none call for question, all in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously.

Mr. Klobukowski: Can I ask one question here, it is related to this in noting that two of the bidders never showed, is there anything that we put out in our bids that say if you don't show up don't bother to bid.

Mr. Yost: For a tot lot no. For like we are writing an RFP right now for the lights to be done at the Poolesville Wastewater Plant, that will be a mandatory site visit. For the RFP I wrote for the lawn service that was a mandatory, so it depends on what type of RFP I am putting together. The one for a park I don't require a site visit.

Mr. Klobukowski: Ok.

Mr. Kuhlman: All right bond reduction, Wade or John?

Mr. Strong: We went ahead and looked at the bonding that was submitted by Kettler Forlines for the phase 1, point 1 of Brightwell Crossing and what we found was upon reviewing the bid or the bonding documents, what they were requesting was a lot less, well what they were requesting was more than what was actually constructed so that is why we broke it into percentages. And we only approved, we

recommended reducing the bond by 55%, and then after that, after it is reduced they have to post a 50% maintenance bond of that 55% and then that is for the first year and then on the second year they have to either keep it at 50% or reduce it down 25% and then in the third year it goes to a full alleviation of the bonding.

Mr. Kuhlman: So this is strictly just for water and sewer only.

Mr. Strong: That is correct.

Mr. Stump: Why such a large discrepancy between the 90% that they asked for and the 55%.

Mr. Strong: We asked for the --- documents as part of the process and what they originally bonded in that 1.1 bond was 44 manholes and a lot more pipe, it actually encompassed a larger area ok and then when economic times changed they kept on reducing the size and the scope and there was a little confusion on the developers part as to what existed in the bonding and what was actually constructed.

Mr. Kuhlman: All right any questions?

Mr. Klobukowski: Yeah I am sort of confused because are they still going to build the same number of homes?

Mr. Strong: Oh yes, yes, yes, they still have to maintain, all they are getting is a percentage of the maintenance bond reduced, not the full maintenance bond, or I am sorry, the full construction bond, just a percentage of the construction bond reduced, the part that is built already.

Mr. Klobukowski: Ok that I understand, so basically they transferred from the maintenance efforts then for what they are doing?

Mr. Yost: They have the 2 year period...

Mr. Strong: They have a 2 year period that they hold a maintenance bond in position.

Mr. Yost: Which is not something that we have always done with water and sewer.

Mr. Klobukowski: If they don't build out for more than 2 years then what happens?

Mr. Strong: Well the portion of the bond, the portion, the 50% is only for the 55%, it is 50% of the 55%, they built 55% of the project now you put a maintenance bond in for 50% of the cost of that 55% and then it reduces down 25%.

Mr. Yost: There are 2 bonds on it now, one will be for the 45% left and then one will be a maintenance bond on half the stuff.

Mr. Klobukowski: It will be about 70% of the original bond?

Mr. Strong: Well the...

Mr. Yost: Overall probably.

Mr. Strong: But he has already built, he has built 55% of the project for this bonding. Now he has still 45% of the project that has not been built and that construction bond will stay in place.

Mr. Kuhlman: Where does the 45% fit geographically, is it in phase 1 or up on the hill in phase 2?

Mr. Strong: It is in phase 1, it is in phase 1, it just if you know when he built the Dr. Walling Circle basically, it goes out towards Rt. 109 and then there is another portion down Jerusalem that hasn't, it is not built.

Mr. Kuhlman: And the maintenance bond would cover what?

Mr. Strong: The Dr. Walling loop.

Mr. Kuhlman: But cover what?

Mr. Strong: The water and sewer only. He still has his paving bond in place, he still has his grading bond in place, which is a stormwater management bond, those bonds are still in place.

Mr. Hoewing: Do they have a monthly fee for the bond, is that why he wants to reduce it?

Mr. Strong: No what it is, is most companies have a limit on how much they can bond, so in order for him to move forward...

Mr. Kuhlman: He needs to shift it around.

Mr. Strong: Right.

Mr. Kuhlman: And the work is completed.

Mr. Strong: The work is completed and he has to maintain that...

Mr. Kuhlman: It has passed your inspection.

Mr. Strong: That we have tested it every which way, they have, they will have to maintain, it will have to stay in continuous working condition, it has been paved over, that is another criteria in acceptable water and sewer for the section that he has requested.

Mr. Kuhlman: All right any further questions?

Mr. Klobukowski: Ok one last one. Where they have done all this stuff, is there a lot of heavy equipment going to be moving through that area that could possibly...

Mr. Strong: No that is one of the reason to have to have the roads paved. It would be normal construction traffic just like any other subdivision and that is why the 55% or the 50% maintenance bond is in place, in case there is damage done.

Mr. Kuhlman: Ok is there a motion for approval?

Mr. Brown: So moved.

Mr. Kuhlman: Mr. Stump are you seconding?

Mr. Stump: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously. John if you would, I know Mr. Kettler is aware but I saw the tanker or water tanker truck coming out through the old part of the subdivision this afternoon, fully loaded past a sign that says no construction traffic.

Mr. Strong: We will have another discussion with them.

Mr. Kuhlman: And that was not Tommy's fault.

Mr. Strong: But it is his project.

Mr. Kuhlman: Yeah.

Mr. Strong: And there is an entranceway that he is supposed to use.

Mr. Klobukowski: Can I ask a few questions here? One based on what you said about the tanker, do we have just one, do we make all the tankers who come into town fill up right here?

Mr. Yost: Most of the time, there are a couple that use...

Mr. Klobukowski: Meters.

Mr. Yost: Well they don't use meters, there is another hydrant they use also. Depending if they are going to Stoney Springs or like Mr. Jamison likes to use the one by well 4, we know exactly, we assign them and tell them where we want them to fill up.

Mr. Kuhlman: The legal ones we know where they fill up Jerry, the illegal ones we got no idea.

Mr. Klobukowski: Well when I saw that tanker there I thought that is a good idea to have them all come here...

Mr. Yost: That is what I would like to do.

Mr. Klobukowski: And do it, therefore you have control, when they come in you give them the meter, you record the meter, you give it to them, they bring it back, you record the meter and these other guys go somewhere else then you got a problem. The other thing is with respect to what we just went through with the percentage, etc., etc., etc., should we develop some sort of table based on per house, per reduction amount on overall cost or something so you could just basically go down and over and say this is what it would be reduced by.

Mr. Strong: Its not done on a per house basis, it's done per section of construction of the utility.

Mr. Klobukowski: Ok I thought they might...

Mr. Kuhlman: It has nothing to do with per unit, it is per section of the site plan.

Committee Reports

Mr. Kuhlman: All right committee reports, Planning Commission?

Mr. Stump: Did not meet last week, didn't have a quorum, meeting Wednesday this week.

Mr. Kuhlman: Good. Parks Board Jim.

Mr. Brown: Parks Board did meet, seems like it was forever ago. We got a, received another presentation from Matt Heimbach regarding the what has now turned into being a Civil War, Poolesville residents that served in the Civil War regardless of their allegiance, still under development and he got more feedback, I can't sit here and say that it is headed toward approval or not towards approval but I am guessing he's gone back to the drawing board and we are going to be hearing from him again at the Parks Board level. And then we re-elected our officers with Doug McKenney being President, Tim Pike being Vice- President again and we approved, which we've already approved tonight the Miracle/TSR bid for the Dr. Dillingham tot lot.

Mr. Kuhlman: Very good thank you.

Mr. Klobukowski: As an anecdote to the Civil War thing, I don't know if anyone listens to WTOP over the weekend but they talked about Virginians who served with the Union Army, the Calvary Union who fought Mosby so there is a little bit more to it than what we all like to think.

Mr. Yost: Frederick was huge Union too, we started to get into that and different things.

Mr. Kuhlman: You all done?

Mr. Klobukowski: Yes Sir.

Mr. Kuhlman: CEDC Link?

Mr. Hoewing: We did not meet since the last event we had, but the last event we had was extremely successful given the weather and everything else that could have gone wrong and didn't and they have some extra beer left so we want to make sure that gets sold and I think there is demand for that, but other than that it went extremely well. Everybody I talked to who was there loved it and I had a good time myself, it was fun.

Mr. Brown: Here, here.

Mr. Klobukowski: Yeah if anybody brings me a cupcake shaped like a crow I will eat it. It was very well done and I appreciate being chosen as a judge, on one of those ribs I thought I had died and gone to heaven, I know that cow died happy, it was just amazing.

Town Manager's Report

Mr. Kuhlman: All right Town Manager's Report.

Mr. Klobukowski: Thank you to all of the people who organized it. The CEDC and all the helpers, they did a fantastic job. It was really an enjoyable day.

Mr. Yost: Ok we received our new permits for Stoney Springs and Brightwell Crossing, they re-up them every couple of years, they reduced a lot of the monitoring requirements that we've had, we were monitoring several wells around outside of the Town limits, there are only a couple that we have to continue to monitor but they are mandating that the Hagen well which is the one closest to Brightwell Crossing well house where the Park Police lives on Beallsville Road, that that one be replaced so I contacted Mr. Kettler and per the MOU with the Town he needs to drill a new well for them so you will probably see a well driller out there within the next couple of weeks drilling a new well up to 300 foot deep and with certain specs the state puts on, so they will be getting a new well. I have also been working on the Maryland Energy Grant and will receive \$32,000.00 as part of the American Recovering Reinvestment Act and part of the approval process was to replace all of the fluorescent light bulb fixtures at the Wastewater Plant, I am going to be going out to bid on that though just in case you see that advertised somewhere, that is what it is about, you have sealed bids opening I think on June 30th. So in July sometime we will be looking at some of the bids.

Mr. Hoewing: What kind of lights do they install?

Mr. Yost: Right now we have 3 lamp T-12 fluorescent lights, which are the older fixtures and we are going to go to 2 lamp P-8 fixtures and we have the table, the state came out and they did an audit for us on the Wastewater Plant and that was the biggest thing they said, we could save so I have a chart I could show you guys, I don't have it with me tonight, that says exactly the kilowatt hours we will save and it is actually in dollar amounts also.

Mr. Klobukowski: Would that go from like a, I know like with some of these fixtures you have a 40 watt bulb but now you can put a 38 watt in it.

Mr. Yost: It is even more reduction than that, but it is very similar.

Mr. Klobukowski: Are the lumens the same, I mean we won't have to worry about a guy tripping into the tank will we?

Mr. Yost: No, it should be fine.

Mr. Kuhlman: Anything else?

Mr. Yost: Lets see the Wastewater Plant flows actually this month we are over 5 inches of rain so far and the average flow so far is about 750,000 gallons per day. That is pretty good. We had two higher months, January we were very low with like 495,000 gallons per day was the average flow and then we hit a little bit over 1 million for 2 months and then we are back down to about 750 right now just because when the trees seem to come out, and push against the manholes and we have done some I&I repairs we talked about a couple months ago, it seems to be

helping out every time we do some repairs. And the manhole repairs we talked about where he drilled holes over in Spates Hill, we had 100 and some thousand gallons per day were coming through and we drilled holes in it and shoot the foam in, I was kind of skeptical but it seems like it is working and we watched it happen. They just dried it up and they lined it with hydrocrete on the inside of it, checked it the other day and it is still holding.

Mr. Strong: Let me add one thing. Devon if you recall up on Westerly Avenue there was that one blind that came down by the old pump station and when Devon opened it up the hole was a lot larger than the videotape showed, that is because we couldn't get to it, so that was removed and then we abandoned the manhole and also fixed that manhole.

Mr. Yost: The next thing is to get some contractors in to take care of those 4 or 5 laterals over off of Hempstone and the Wesmond area we didn't get to the first contract.

Mr. Kuhlman: Very good.

Mr. Hoewing: What is going on with the roadway out here.

Mr. Klobukowski: I talked with SHA last week I called on Thursday and spoke with Greg Edwards is the guy in Gaithersburg and he basically said that F.O. Day's milling crew got ahead of their paving crew and then the weather set in, and if we have to wait for the weather to clear up those roads are going to be like that until next year. But that is basically what they are saying because they still have to finish up Great Seneca Highway I guess I thought he said Great Seneca Highway and then they were supposed to start out here last night they said, but obviously they have not and the road is getting worse...

Mr. Yost: Yeah I heard it would be a couple weeks.

Mr. Klobukowski: It is deteriorating, the potholes where the milling didn't take down the road or took down the road and there were pockets, holes in there, those holes are starting to widen.

Mr. Yost: Breaking up.

Mr. Kuhlman: Yeah as some bicyclist can attest to from Saturday because the road was packed with traffic and he had to go through it and crashed.

Mr. Klobukowski: But yeah so that is what I know.

Mr. Kuhlman: All right how bout our paving, how goes that Mr. Strong?

Mr. Strong: They have finished up the Seneca Chase area, they are doing some striping currently, they are doing patchwork throughout the Town, they are working on Cattail Road doing patchwork there, you might run into some if you go down Cattail Road, you might run into...

Mr. Kuhlman: Did they go down there in front of the Town Manager's house and clean up the pond they created?

Mr. Strong: That is to be done on the punch list. We won't want that to be a problem.

Mr. Kuhlman: Of all the intersections in the Town that was the one they had to pick to screw up.

Mr. Strong: It's not screwed up they just need to do a little more work to make it right.

Mr. Kuhlman: Ok here, here, anything else Staff?

Mr. Yost: No.

Mr. Klobukowski: I got one thing I forgot to mention earlier. Congratulations Poolesville High School they are number four in the County with respect to the high school challenge, and number 69 in the nation. That is not bad. And there is one other thing, I don't know if you noticed...

Mr. Kuhlman: Wait a minute you just said one thing.

Mr. Klobukowski: Well I lied, like I said I am the polish version of Columbo. Page 6, Maryland Municipal League e-bulletin, phase 2 watershed implementation plan, I talked to Wade about it earlier today, the County supposedly has our stormwater management, I just would hope and ask Wade to monitor what they do so that there is no impact to us.

Mr. Yost: We went to a couple meetings actually you went to one in Gaithersburg with me that one time where they called all the --- together working on phase 1, which is very wide open, it doesn't pinpoint how they are going to implement any reduction goals that they have, so once they start building this new phase 2 or part 2 of how they are going to implement it and hit these reduction goals that is what is going to be interesting.

Mr. Kuhlman: After talking to those people in Rockville government I am glad we gave that crap back to the County. Rockville kept it on their own and they are having nightmares.

Citizen forum

Mr. Kuhlman: All right Citizen Forum, no thank you, motion to adjourn.

Adjournment

Mr. Klobukowski: So moved.

Mr. Kuhlman: Boy everybody jumped in.

Mr. Stump: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: We are adjourned.