

APPROVED 3/7/11

**COMMISSIONERS OF POOLESVILLE  
MEETING OF FEBRUARY 22, 2011**

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

**Call to Order**

Mr. Kuhlman: Good evening gentlemen, seeing no ladies in the audience, welcome to the Commissioners February 22, 2011 Commissioners Meeting. For the record all Commissioners are present as well as Town Manager, Town Attorney, and Town Engineer. First order of business will be the Pledge of Allegiance if you rise, Jerry.

**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: Thank you. All right announcements, we have a prestigious evening here due to it is the eve of Commissioner Hoewing's birthday, who told me at the last meeting that he wanted recognition.

Mr. Brown: Good memory.

Mr. Kuhlman: I read the minutes. How old will you be?

Mr. Hoewing: 57.

Mr. Kuhlman: Oh Lord. All right any announcements? All right hearing no announcements we will move on, oh we do have a vacancy or will have a vacancy as of April 1 on the Ethics Commission, we need a volunteer for that.

**Approval of Minutes**

Mr. Kuhlman: Move on to approval of the minutes of January 24, 2011, is there a motion for approval?

Mr. Brown: So moved.

Mr. Kuhlman: Is there a second?

Mr. Klobukowski: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: Motion carries. The Executive Session minutes for that meeting were approved at the last meeting because we had the appointment to make. All right next set of minutes will be February 7, everybody was in attendance, is there a motion for approval?

Mr. Klobukowski: So moved.

Mr. Kuhlman: Second anybody?

Mr. Hoewing: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: Motion carries.

**Open Forum & Citizen's Comments On Agenda Items**

Mr. Kuhlman: Open forum and citizen's comments on agenda items, anybody have anything on the AT&T lease, I&I presentation we will be getting from our Town Engineer this evening, and a discussion about water rates. Anything in general?

Mr. Klobukowski: Are we going to discuss the Poolesville Military Support Group?

Mr. Kuhlman: Where do they come in Wade since they are not on the agenda?

Mr. Yost: I missed that.

Mr. Kuhlman: The Military Support Group, now?

Mr. Yost: There is a new agenda out that has them listed under new business.

Mr. Kuhlman: Oh there wasn't one up here.

Mr. Yost: Yeah it is under new business.

Mr. Kuhlman: Ok sorry about that.

Mr. Yost: What we talked about (inaudible).

Mr. Kuhlman: No I'm like Jerry I don't see it on the agenda. All right anybody have any comments on the Poolesville Military Support Group? This is just comments you will be called up later to make your pitch.

### **Old Business**

Mr. Kuhlman: All right moving on to AT&T Lease, Mr. Attorney or Mr. Town Manager.

Mr. Yost: No Mr. Attorney.

Mr. Gullo: Ok you have this package that has like a blue thing in front of it and for the most part the changes that you see listed on the blue where it says November 16, 2010, as I was talking to the Town Manager right now, all of those comments are outdated, those were the changes that they requested back in November and then I have worked with them since November to make the changes that we thought were going to be important. If you have any questions I can talk to you about them if you want to bring up specific issues and tell you whether or not those were addressed or not.

Mr. Klobukowski: I think for the record, the public record, those changes need to be made out and made public to everyone even though I will not be voting on this, I am abstaining as I own shares of AT&T stock.

Mr. Kuhlman: So you are recusing yourself?

Mr. Klobukowski: Yes.

Mr. Kuhlman: Ok thank you Jerry.

Mr. Gullo: Well the important part to remember on all of this is that you already have an existing lease, we can start with that, you have an existing lease, they requested some changes. The changes the ones that are really important you approved a long time ago and they dealt with the money and the terms and it is shown in here but you had agreed to that some time ago. And after that was turned over back to AT&T they came back and said well we want some changes to the lease form, not the terms, but the lease form to make it more standardized that is what they said. And that is what they gave you on the blue page is what they wanted, and when we looked at that there were some concerns that I raised about the language, again these are all what ifs that could happen and so we spent since November till now making those changes. And so if you go I mean I can go through your lease if you want but they are outlined in track changes version you can see it for yourself and I will just answer any questions you may have.

Mr. Kuhlman: All right any questions?

Mr. Hoewing: So are these then consistent with the other agreements we have or are they different from Verizon for example or Sprint?

Mr. Gullo: I think they are not significantly different but they are different enough. The biggest issues I mean I just kind of summarized the biggest issues, they wanted language in there that basically said they don't really have any liability for taking things off the tower they can, they don't have any liability if they ever had to move out, fixing things and I was uncomfortable with that because you can see they can take down the antennas, leave the brackets and just roll out, no new company is going to use those brackets right they are going to make sure they are right so they are not of any value, so the idea was we changed everything in the lease and this is paragraph 4, to make sure that it says well they are not responsible for the removal of underground utilities, everything else in there shrubs and stuff like that they would be, underground utilities why would we be concerned with that anyway. So that was that part, the Section 5 dealt with the maintenance and taxes it just removed that out of the equation, that is fine, it doesn't really affect us. The assignment and subletting section, section 9 took out an entire section and added a section to make it compatible with what they see across the country. And while it has a lot of words and a lot of complications the idea with this was they can assign their lease, this lease, with our permission to anyone, but we have to give permission and that is always reasonable, we just can't say no it has to be reasonable and that is the first sentence. The rest of that entire paragraph deals with the fact that if they assign it to a parent company, a subsidiary, somebody that owns 51% of the stock, you get the idea, that we don't get to consent, it happens automatically, and the last part of the paragraph talks about if they ever have to pledge their assets for like a mortgage, its where they talk about mortgage pledge or hypothecate, we don't get to consent and to give you some tangible examples, Cell One used to be a cell company, it is no longer, somebody bought them out, Cell One had leases somewhere maybe not here, those leases went to whoever bought them out and so on and so forth. If they were a buyout the owner, the lessor us, we don't get to consent, it is that simple. Lets say now you go to AT&T, AT&T wants to do a massive refinancing, they have to list everything they own, well they have an ownership interest in this lease, I mean they don't own it fee simple obviously but they own the lease, so they have to say that we have this right to use the tank for so many years, it is worth something and we are pledging that to the bank, the bank then that is the mortgage or hypothecate, they are not going to come and do that for Poolesville's tank you realize they are doing that nationwide with all their leases, so that is what paragraph 9 deals with. Paragraph 10 basically deals with the 911 service and they wanted to add a provision that talked about any type of change they would have to make because of 911 requirements that we couldn't charge them more and I went round and round with them about this. The problem I had was if you break it down forget 911 because everybody says emergency and business sense goes out the window, so forget that, if they need to make changes or take any other square footage because that is what we are renting right, square footage is like a retail type of thing, we should be compensated for that so they don't automatically get to expand their footprint, they don't automatically get to hang new antennas

because if there is space for new antennas we may sell that to somebody else we are not giving it away. So basically they changed the language based on those recommendations and they can make any changes they want as long as it doesn't expand their footprint on the tower or on the ground and so I figure what do we care. Then the last section, Section 11...

Mr. Kuhlman: I have a question on 10 before you leave Jay.

Mr. Gullo: Yes.

Mr. Kuhlman: As I was asking you outside I am still not comfortable in the last sentence where it says including but not limited to emergency 911 communication services, is that including but not limited to opening it up past the 911 communication services.

Mr. Gullo: I think that it probably does because in the small print above it, it talks about Federal, State, and Local Mandates, ok so we got to make this up because I don't think they know what they are talking about but lets say there is some type of system that would be installed to warn of hurricanes or tornados or something like that, that is mandated that they have to deal with that, if they have to do it then they have to do it, and we wouldn't really care but we are not letting them hang something else on the tank to do that. They are using the 911 communication because in my thought that makes everybody think oh 911 we get the idea, so I don't think it opens it up to anything that would cost us money, time, liability. Let me put it to you a different way, if they took all the antennas down, still paid the rent and hung a light up there that blinked why would we care, that is my thought.

Mr. Kuhlman: All right no my concern was more of in if they wanted to put up another antenna for example, could they come back and say hey it is not limited to emergencies so we can do it.

Mr. Gullo: They could put a replacement antenna in where they have it, so I assume like there is a bracket and there is an antenna, if they want to change the antenna on their bracket no problem, but they can't add any more footprint to the tower or to the ground.

Mr. Kuhlman: All right thank you.

Mr. Gullo: And then the last section is Section 11 it talks about memorandum of lease and this just confuses everybody because it says we are going to execute a memorandum of lease and you are saying isn't that what we are doing here, well then you go a few pages later and you start seeing almost identical terms, which is the memorandum of lease, basically if they need to record something in the land records to prove they have ownership because this is a private document but they may need to record something to say yes we have an ownership interest because again that has value, they can't really record our lease that is not a proper instrument to record, but they could record the memorandum of the lease and that just basically recites more or less the same terms without getting into detail or as much detail. And so that is a non-issue for us as well. So those were the things that we worked through and we had some problems with that they came back with, I am comfortable with what is there, I did not deal with any of the money terms, the Town Manager dealt with that and you all approved those back then and I am sure he can summarize if you need a refresher.

Mr. Kuhlman: All right before we can execute this though, on page 9 we need to get that notary clause changed to Maryland instead of Virginia.

Mr. Gullo: I think it would be easier if you just went to Virginia and did it.

Mr. Kuhlman: Did you need to say anything there Wade on the money or anything like that?

Mr. Yost: No the terms were exactly as they were presented to this Board before and they voted on, which is a 15% increase every 5 year term.

Mr. Kuhlman: All right any discussion amongst the Commissioners?

Mr. Klobukowski: Can I just ask one question?

Mr. Kuhlman: You recused yourself.

Mr. Klobukowski: I know this has to do with the general structure of this agreement versus all our agreements. Is this basically a model for us going forward for other agreements?

Mr. Gullo: I mean it is close enough that if they didn't want any changes we wouldn't change it, in other words these are all this is being done to accommodate them, none of these are being done to accommodate us.

Mr. Klobukowski: So if Verizon comes in or T-Mobile or something we can use this as sort of like the benchmark to go...

Mr. Gullo: I think we certainly could if we wanted to, however your leases that you have now protect you, I mean I guess the point is that we wouldn't have changed it had they not asked and we are happy with this but if nobody else asks us I don't know that we would make them change to conform to this.

Mr. Klobukowski: One last question. If they change or any of these companies change from one company to another the amount would remain the same right.

Mr. Gullo: Yes.

Mr. Kuhlman: All right any further questions?

Mr. Hoewing: The first sentence on the repairs lets assume that the cabling that goes up the side of the tower and its got brackets to hold it on and some of those come off, it is still functioning they don't have any problem with the antenna working but it is basically the cables that are --- and they don't want to fix them, basically this says they don't have to if we say we want you to repair that because those cables are loose, because that wasn't a fault of them and it wasn't a mistake they made it was just something that happened to the equipment, we happen to notice it is swinging in the wind, doesn't affect their transmission so they don't have to fix it.

Mr. Gullo: Yeah I think that's, I mean depending on the level of what we have, when we did this the first time around and what you see already in there is the original, I have to go back to the original lease did not have the clause I am going to tell you about, the new proposed lease that you've agreed somewhat to last year did not have it, what we asked them to put in was the whole paragraph that if you have to do something to fix the tank then they have to remove the antennas and without cost to you and that gets you really with what your issue is, I mean if you need to repaint the tank you can have them take it off, they can put another site somewhere around there, but it is at their cost and the reason that that is what we wanted and that was kind of the horse trade is that if that wasn't in there you could be

responsible for their lost revenue, not the fact that they lost rent, their lost revenue on having a tank taken down.

Mr. Hoewing: Yeah.

Mr. Yost: And that is something we don't have in the other agreements.

Mr. Kuhlman: Jay do we need a motion on the amendment and then a motion on the memorandum?

Mr. Gullo: I think you would just make a motion to adopt the first amendment to the lease agreement that is all referenced to each other.

Mr. Kuhlman: All right is there any other further questions or comments? Hearing none is there a motion for approval of the amendment to the lease?

Mr. Hoewing: I move the approval of the amendment.

Mr. Stump: Second.

Mr. Kuhlman: All right. All in favor?

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

Mr. Kuhlman: Carries unanimously by four Commissioners with one abstention of Mr. Klobukowski.

### **New Business**

Mr. Kuhlman: All right Poolesville Military Support Group we have Richard McKnight and Paul Kelly with us tonight.

Mr. McKnight: (Inaudible) two years soliciting money from Poolesville, this year if you look at the first page of the handout we are expanding to take in (inaudible) Hospital in Ft. Belvoir, as well as Walter Reed. So it would be a great idea if you could help stand ourselves up from funds from the community. We think \$1,500.00 should help us operate the crux of that will be spent here in the community as much as possible. I want to go to the 2<sup>nd</sup> page rather, this is some of the things we have accomplished. I think most of you have been to the event, if you haven't it is a great time. This will be our 7<sup>th</sup> picnic, people in the community of Poolesville stand behind us and it is incredible. There is a sister group at the --- Hospital of Ft. Belvoir and they call their group the Wounded Warriors and we are going to try, we made application already, Paul has put the paperwork together to try to solicit them and they will provide transportation as well. Interestingly enough when you fill out these applications at Walter Reed and Ft. Belvoir you attest to the fact that there will be no alcohol served to the Soldiers so if anybody has a concern with that it does not come with us, it is one of the things that we stand up and we state that we will not provide it. The scheduled date is May 21, we are still working on that but that seems to be fairly concrete, there is a list of supporters here, the Firefighters are local, the Boy Scouts, the Fire and Rescue folks, obviously the Whites Ferry personnel, all the residents of Poolesville, the merchants, Fisher House obviously and there is one more and that is the American Legion. We have estimated that approximately 500 people attend this event and we have got a big following from several Harley Davidson motorcycle groups from as far away as Pennsylvania all the way down through Virginia, they come up and support this as well. And I don't know if you have ever seen the parade that starts at the school but it is quite impressive and they do a good job, it brings out a bunch of people. And in addition to that there is 30 to 40 supporters who help us cook the food, put up the tents, take down the tents, we have 3 or 4 people that do nothing but work with the fishing rods, the bait

and all that kind of stuff and help the youngsters along the banks of the river. And by shock if they do catch a fish we will cook it on the spot and we have done that. I've got an interesting story if you have got 2 seconds, this woman caught a clam one year and I didn't know that there were clams at Whites Ferry but they are sizeable clams and she was dragging the line through the water and across the shore and she felt something on it, when she got the clam out of the water the clam had literally closed on the shank of the hook. I think you would win the lottery before that would ever happen again. Anyway we provide a moon bounce, there is a football toss, the kids get out there and can play badminton if they want, we have some locals who provide ponies and they can do a pony ride and that is always a big hit. We always have music, Valeree Dickerson is there with her jukebox and so forth and this year she is going to tone it down a little bit because some people thought it was too loud. This will be the 7<sup>th</sup> event we have had a Whites Ferry, we have managed to take in over \$70,000.00 dollars in the 6 years that we have done this event and we've given that all to the Fisher House and they have acknowledged that fact over here on the wall as well. And we are very happy to have done that. And the major players in this are myself, Paul Kelly and Carl Hobbes who couldn't be here tonight but we do have some other members, --- Polan who works with the motorcycle people and the Hoffackers who have been benefactors and are (inaudible), they are major players. So if we could solicit \$1,500.00 from the Council we would be very appreciative and hope to make this a success and not have to dig too deep in our own pockets, our personal pockets, to offset the expenses that we anticipate. Thank you very much. Any questions for me?

Mr. Kuhlman: Any questions for Richard? All right hearing none thank you Sir.

Mr. Klobukowski: I have a question. You have got Walter Reed, you have got Dewitt, what about Bethesda?

Mr. McKnight: We have tried for 4 years to involve Bethesda with zero success, with more promises than you hear on a Saturday night at Bassett's Bar and Grill. So I think we kind of waived it off and said maybe when Walter Reed transgresses over to the Naval Hospital community there, maybe we could look at that.

Mr. Kelly: (Inaudible) told us with too much confidence over the years that we couldn't compete basically.

Mr. Klobukowski: I know you are not the only one who does it in the area, I know somebody takes people fishing out on the Potomac.

Mr. McKnight: But this is Naval Hospital specific, believe me we have tried over the years. Will we stop trying, of course not, anything else?

Mr. Kuhlman: All right thank you Richard. How are we looking on this fund Wade?

Mr. Yost: There is some room in that fund.

Mr. Kuhlman: Ok. All right any discussion amongst the Commissioners?

Mr. Klobukowski: How much room is in the fund? What do we have versus maybe something else coming up, I mean what is the total amount?

Mr. Yost: Oh there is like \$5,500.00 in there.

Mr. Klobukowski: Ok. And none of the rest of it is obligated?

Mr. Yost: Correct.

Mr. Klobukowski: I will be honest with you. I appreciate your efforts but the number of people, the actual Vets that are there, the Wounded Warriors themselves, is there any way of increasing that population over what it was.

Mr. Kuhlman: Paul if you would come up to the desk please.

Mr. Kelly: This year our commitment from the record of FWR at Ft. Belvoir, still clustered under the same Ft. Belvoir, and we will try again for Bethesda.

Mr. Klobukowski: Well not so much Bethesda but the numbers that were there, the actual Wounded Warriors compared to everybody else, I am thinking strictly this is for the Wounded Warriors not for motorcyclists, not for anybody else, it is for the Wounded Warriors who is recovering and what I normally see is maybe 10 to 20 people there, it just gives me pause and I want it to be a success, don't get the idea I don't want it to be a success, I want it to be a success and I would like to see as many as possible, I would like to see it overflowing, not that I want to see a lot of wounded Vets obviously but at the same token I would like to see greater participation.

Mr. Kelly: We try to get more every year, the nature of their situation it dictates, it is very unstable situation for them, we try every year, this last year we were undercut by a bootleg fishing trip that wasn't didn't go through there system so they made plans, they work with us not to plan any other fishing trips for that day for us, so we were undercut by people coming in and taking them out to the Bay under the table so to speak. It is just the nature, we try to get as many of them out there as we can every year and the Fisher House is for the wounded soldiers.

Mr. Kuhlman: Well you invite their families too, where are the families invited out on the Bay do you know?

Mr. McKnight: Yeah the State DNR takes the soldiers and families and they don't have to be wounded, they do Operation Iraqi Freedom and Operation Enduran Freedom which is Iraq and Afghanistan, they will their families out and they don't even have to be wounded. But we do try for more every year and I understand your point.

Mr. Klobukowski: And it is difficult for the Vets too because some of them are, they feel very awkward based on the wounds they have, going through rehabilitation is not exactly a walk in the park for them either so.

Mr. McKnight: Part of the process is the opportunity to ---, so the first thing you (inaudible), the second thing that happens is Paul and Carl both go down to Walter Reed and they go down there maybe twice under a 2 week period and then on the day of the event they go and try to solicit soldiers to get on the bus or whatever go along but it's a coin toss and we have been trying like crazy. We have had anywhere from 15 to 30 people show up so.

Mr. Kelly: We have also had people from Town say this is a great thing you are doing, I wouldn't know any other way to show my support for the Military other than to come down and meet these guys in person and show support and I think it helps the people of the Town as well.

Mr. Klobukowski: Well the fact that you raised, how much was it for Fisher, total number.

Mr. McKnight: Over \$70,000.00.

Mr. Klobukowski: Now the bikers that come in do they contribute to that?

Mr. McKnight: Yes Sir. We get checks from some motorcycle groups in excess of \$500.00.

Mr. Kelly: And we do the 50/50 drawing down there.

Mr. Klobukowski: All right thank you very much.

Mr. Kuhlman: All right any further questions? Anybody care to make a motion on this?

Mr. Klobukowski: I make a motion we donate \$1,500.00 to the Poolesville Military Support Group, to support the picnic that is being held on approximately the 7<sup>th</sup> of May.

Mr. McKnight: The 21<sup>st</sup>.

Mr. Klobukowski: The 21<sup>st</sup> of May at Whites Ferry.

Mr. Kuhlman: Thank you Sir. Is there a second?

Mr. Stump: Second.

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

All: Aye.

Mr. Kuhlman: Motion carries unanimously. Thank you gentlemen and good luck.

Mr. McKnight, Mr. Kelly: Thank you.

Mr. Kuhlman: All right I&I report or presentation Mr. Strong.

Mr. Strong: All right ladies and gentlemen or gentlemen, I am with Huron Consulting the Town Engineer an Engineering company. I am here with Dick Hurney tonight, he is the President of the company and this is a presentation on inflow and infiltration. First of all we would like to thank the Town Staff and also weatherbug, Town Staff they are the guys who go down in the manholes and mount the flow meters and send the cameras down and when it is utterly miserable and I and Wade get together and we say we really need to take a look at such and such place, they are the ones that are out there, I am standing in the trailer and they are down in the hole working hard. Weatherbug actually supplies us with a bunch of data for rain events, they have a reporting station in the area and we were able to get that information for free and it turned out to be very helpful, as you will see. All right this is a 2 million gallon a day event which is current. A similar rain event would be about 3 inches of rain and produces approximately 215 million gallons of water, if you measured it over the entire town limits. In the form of I&I that 3 inches of rain produces about 1.7 million gallons of water or 8% of the total or 0.8% of the total rainfall becomes I&I. The normal flow for the plant is around 300,000 gallons per day. Flow rates prior and post lining, now we have looked at various rates and we just picked two that would be representative of those time periods. On March 22, 2000 we had a 2 day rain event of approximately 2 inches and it produced 2.8 million gallons a day. On September 30, 2010 we had 4.72 inches of rain and out of that it produced a 2.1 million gallon day, we are roughly after the pre and post lining we have removed roughly a million gallons if you use a trend line from the system and I will go into a little bit more about that in a few slides. What we did find out which we didn't, we knew there was always a time correlation to the flow rate coming into the plant and you heard me talk about Weatherbug and through the weather-bugging system they are able to record fairly accurate increments of rainfall and we have never had that data before, we always knew it rained 2 inches

on that particular day from when they put the rain gauge out and emptied it out and we came back, but we were actually able to develop a trend line and in that what we found out was this period here from when it starts to when it starts to ramp up very quickly is about 8 hours and then once the rain event ceases it starts to fall back off in 11 hours, so if the rain event continues across this way this concludes it starts to falling off rapidly and that plays an important part in the way that we gather the data. Before we were calling out TV camera crews to get out there and videotape the areas that we thought were creating I&I problems, the problem was trying to get those crews there. The Town bought the camera now we are able to get onsite rather quickly and catch it as it is falling off, we can't go into the lines while its inflated because you can't see anything and I will play some videotapes of when it falling off has occurred, very shortly. Now this is just a flow chart of the flow rate in comparison to what the existing lining is, what the existing flows are, and also the dry conditions and then the wet conditions and looking at the Hunters Run station which is the 2<sup>nd</sup> largest area of lining, of line, the normal flow is about 85,000, it ramps up to almost 660,000 gallons per day. The gravity we are looking at about 177,000 gallons per day and it ramps all the way up to about 1.1 million and then the other stations are so forth. Now what are the conditions, what you are looking at here, this is manhole 303 down by Stevens Park and that is the gasket that is in the manhole, it should be covered with concrete but it has fallen away and let me show you some videotapes of what we saw, they are a little rough as quality goes, you are going to be surprised at some of them, now this is looking down the manhole, the flow rate from the channel is this direction and as you can see there is water spilling out all over the place down here and this was shot after the rain events had occurred. When this flow is taking place there is 5 other manholes above this, and the differential between this manhole and the other 5 manholes is 100,000 gallons, so we have located one spot that is approximately 100,000 gallons, the other thing that is really interesting in this whole system is everything works in a percentage, the leaks always are in a percentage, you can say if it is a 1.5 million gallon event that is taking place, it is always a percentage of that 1.5 that extra inflow. All right this is another manhole...

Mr. Klobukowski: (Inaudible) 10% or 15%.

Mr. Strong: Approximately because this is a dynamic situation that is always changing due to ground conditions, the speed of the rainfall, other things. Now this is the manhole down off of Westerly, there is an old abandoned pump station located out this way, there is a drop manhole here that was abandoned but is leaking and if I catch it real quick you can see it again the water is flowing this way and this way, you can see water out here on this bench, the pipe that runs in this direction actually has a break in it, the pipe is fractured, the reason I can't show you a video of that is that the equipment the Town has doesn't have the ability to send a film to the computer. We are going to try to work that out. But there is leaks here, there is also a pipe that comes in here that is draining down on this bench here, and then around this abandoned manhole of the line coming from the abandoned manhole there is water squirting out around there. I am going to take you next on a little tour of the line, this line is off of Hoskinson, it runs between Hoskinson and Whites Road and this is a typical problem that you see in a main line, right there you

can see this is a main line that has been leaking for awhile, the joint is separated, you can tell it has been leaking for awhile because this is the grease line in the pipe and you can see how it ramps up and then falls back down so it has been pushing that grease up and then down. There is another leak right here and as you can see the flows are down in this pipe but when the flow is up it is burying this pipe halfway. Some of the other problems that we have are...

Mr. Kuhlman: What diameter pipe are we looking at?

Mr. Strong: We are looking at an 8-inch pipe.

Mr. Kuhlman: All right thank you.

Mr. Strong: See these roots intrusions and when we find these in the line these root intrusions are simply vehicles for the water to get in, where there is a root there is a hole, water comes into the system. Now when we did the lining in the Wesmond area that is one of the things that we took care of...

Mr. Kuhlman: When you do the lining...

Mr. Strong: When we line the main line you can't enter into the polyethel there is no joint, it is one solid piece of pipe, a big plastic pipe...

Mr. Kuhlman: You answered my question.

Mr. Hoewing: Is this concrete, this thing?

Mr. Strong: This pipe is actually trancite pipe, which is a concrete and asbestos mixture.

Mr. Hoewing: And how old is it?

Mr. Yost: About 30 years old. It is very porous just like the terracotta.

Mr. Strong: Yeah in fact you can kind of see this skeleton work in this area, it is just where the mold is growing in and out of the crevices.

Mr. Hoewing: Is this the kind of material you use now or is it mostly plastic now?

Mr. Strong: No now it is PVC.

Mr. Hoewing: How long is this kind of pipe supposed to last when they installed it?

Mr. Strong: Well the pipe itself, if the joints don't separate it can stay in place for a very long time, some of the sections that we looked at within the subdivision of Westerly that trancite pipe was fine absolutely fine no leaks no anything. It is just in various places where for whatever reason it's moved, it's failed.

Mr. Klobukowski: Is there some sort of correlation of trees being (inaudible).

Mr. Strong: If you can keep it, the thinner you can keep it the better it is but tree roots will go where tree roots will go seeking moisture. We've actually been in the middle of roadways that are so many feet wide. So it has no direct correlation but the cleaner the areas that are --- kind of like the power lines. Anyway I can show you lots of roots. Now Devin was notified about these obstructions and of course he came in and cleaned it up right away, the roots because as you can see this is narrowing the channel considerably and creating a possible place for a backup to occur.

Mr. Hoewing: This was shot 4 days ago?

Mr. Strong: No it wasn't. This is 2010. Another thing that we have are several laterals within the, that were not lined during the original Wesmond lining, this was due to existing trees, aprons that were newly placed, and persons within the Town just absolutely did not allow the vehicles to do the digging. And this is a sample of what it looked like before it was lined, this is a cast iron pipe and as you can see the

leaking around the pipe and this area when they constructed it, it is a 4 inch pipe into a 6 inch terracotta line and what they did was simply stuck it together and then taped what looks like t-shirt material or some type of cotton wadding, which was not unusual at the time and packed it, that cotton wadding is now history. This is a joint up here that is leaking heavily, this is during a dryer period when we shot this because we had noticed in the TV camera that there was water coming down the line where it shouldn't have been coming. This is a repair that was done some time ago with PVC pipe, we imagine that there is probably a front coat coupling here and that front coat coupling has loosened a little bit. And there is a good pipe joint there and as you can see a little bit of difference in the way that joint is constructed.

Mr. Stump: What is the depth of these lines?

Mr. Strong: The mains are about 20 feet deep or they can be as shallow as maybe 5 or 6. There is another leak right there, this one here you can only grab a real quick glimpse because as it starts to pull further away, the leak in this particular pipe runs at the bottom of the pipe and that is one of the problems that we have that we can't see the leaks when it is really high flow because it is at the bottom of a pipe and covered up. And then pull back a little further and then we are into the main, see how clear that water is too, and there you are into the main. Don't ask what it is. Ok so now with the conditions and talk a little bit about the way the thing is constructed just so we all have a reference point, we'll start with the manholes, places that leakage can occur is in the manholes at the top and the Town has done a really great job of putting in pans in those manholes that captures the water so it doesn't just end up in the system, the other portion is the deterioration of the manhole with cracks in the wall of the manhole, we have seen that, the laterals coming into the main we have seen those types of leaks, cracks in the line. I didn't show you one of those but we have seen spiral cracks in lines especially the old terracotta lines, open joints, you saw those tonight, we have not seen any tie ins and we have smoke tested and smoke tested, we haven't seen any storm drains tied into the sanitary system. In older construction DC is infamous for this, New York, Philadelphia, a lot of different places it is very common, broken laterals we've seen that, tree roots in laterals that is common, also tree roots in the main. Yard drains, we haven't found any yard drains but we have found some stairwells that are probably tied into the sanitary system, that was a very common practice back in the 70's up until the mid 80's. Roof leaders we haven't found those yet and they should have shown up we would hope during the smoke testing. Construction, this is just to go over how a manhole is constructed and how the laterals and the main line are brought in. The manholes are basically just stacked up with a collar and spigot and there is a rubber gasket that runs between this interface all the way down until it gets down to where the pipe runs into the manhole and then there is a gasket that wraps around a --- boot that goes around the pipe that comes into the manhole. The part that you saw in that shot was this boot exposed in the manhole and when it rains the hydrostatic pressure builds up and it pushes that boot this way and then the water just flows right in. The main line is just a series of pipes with a tap into it, now at the time when they did the taps they weren't cut in, in older construction they used to actually cut the pipe and then insert the pipe and if it gapped a little bit it gapped a little bit, new construction this is all PVC, this is a specific piece of pipe

that is built for the lateral and is one piece and then this pipe comes in and there is a spigot that goes into a rubber gasket that forms up. All right just the footage in the system so you understand for construction purposes, the gravity system has about 71,000 linear feet of pipe. Hunters Run has about 33,000 linear feet of pipe, Fisher Avenue is about 6,500 feet, Elgin Road is only 1,500 and then Seneca View is 71 or I am sorry about 6,700 feet. Now gallons per day per linear foot, if you look at it overall and it varies a little bit and it runs anywhere from about 2.5 gallons per linear foot to 1.5 gallons per linear foot of pipe. Now during the, we looked at how it was affected by I&I and prior to lining the gravity system was getting approximately 28 gallons per linear foot of pipe, and then once we looked at it afterwards it fell back to about 15 gallons per linear foot of pipe and that is based on a 2 million gallon event. Now percentage wise where you are at currently is Hunters Run is averaging about 8 times the normal flow and the gravity system is averaging about 6 times per normal flow. Now the reason for this is probably due to the newer construction that comes into the gravity system so your flow rate is decreased, also with the lining that is taking place you have taken out a lot of that old I&I. The drainage basins and these are the pump stations and it gives you an idea, I had them stretch this slide out and made it presentable, make a little bit better viewing for us all, and over here is the chart for it, if you choose to look at that. This is the Fisher Avenue pump station area, this is the Elgin Road pump station, which is in blue, yellow is the Hunters Run, the orange is the Seneca View and the remainder in green is all gravity. Now everything flows to the gravity but we broke it out just so we could look at different pump station data and we have been keeping track of it that way so that we know what the various pump stations produce. In the lining of mapping of the observations we've looked at different ways of tracking it and every time we get a data point that comes in, we put it in a different color so to define what is there. The green areas are main lines that are clear, we have looked at those areas that have been lined and we know the main line is not leaking at all, and which then leaves just laterals if we have to come back and look again. The red areas are main lines that we know are leaking and as you can see right here in Wesmond, Westerly there are lines that are leaking in several different spots, also along Fisher Avenue. The blue areas are lateral flow areas, area that we have strong indication there are lateral leaks but we haven't been able to catch them yet. The Town now has, their camera will be able to get out and take a look a lot quicker, we have also instituted an ability to go down and run a push camera down a lateral line to see if we can catch anything or see anything. The yellow areas indicate little or no flow, as you can see right here Stoney Springs that is the line that is already in place, we looked at it, we've looked at the flow data and it is dry. Right here is that one section that we know has little or no flow in the Westerly area. Seneca View over in this area, we know we have little or no flow in those lines. The pink dots are manholes that we know we have flow into, out here the WSSC had some problems with their manholes, they have come back and fixed them this past summer but we haven't been able to go back there and check and make sure that, we haven't had any significant events since they've fixed that. Various concerns and findings, manhole 503 to 507, that is the flow that the flow meters indicated 100,000 gallons were coming through there in a large rain event and that was just from differential flow

meters, 21816 shows infiltration along from the abandoned connection, it was an old pump station area and just hadn't been closed down, we are looking at flows of and this is only visual and it is an estimation of 50 gallons per minute coming in during a rain event. The main line is broken, you are looking at around 35 gallons per minute coming down that main line, we looked at when Chris ran a camera down that is where it was coming from is the hole in the pipe, and again that is just a visual observation. Within the Westerly subdivision there is several section of lines that showed infiltration, that showed signs of infiltration, Spurrier, Hoskinson, and Hughes, and those flows were about 75 gallons per minute that were coming down through there. In the Wesmond subdivision there are several lateral lines that have not been lined due to the --- and we are looking at around 75 gallons per minute from that area. Recommendations, we recommend that (inaudible) be repaired, this would be using a routing process and also a hydrophilic --- to be pumped in behind the existing manhole, they actually drill a hole through the wall of the manhole and then pump a routing material that reacts with the water and coats the outside of the manhole. That particular system is being used in Chicago, it is a 60 million dollar, 60 million dollars worth of manhole repairs and that is what they have elected to go with, also this particular repair method is being used in Manassas and in other jurisdictions. Repair of manhole 21816 that I am sorry to say is going to be a dig and replace, there is just no choice in that matter, we looked at maybe pipe bursting it back into place but that was not going to be practical.

Mr. Brown: Where is that one located again?

Mr. Strong: This is in the Westerly the abandoned pump station, the manhole you will be able to rehabilitate, I feel confident in that, and we can block the other things, but the main line is broken so they are going to have to dig that up and replace it. And that is probably a trancite pipe. Line the main and lines in areas we have identified in the Westerly subdivision and that is that red area right in there. In this case and repair the laterals along Hughes Road, Chris has reported several times that there are 4 houses where the flows are extremely high coming out of the lateral, we don't have a lateral cam that can do it and there is no clean mounts available to go down and take a look so it will probably, well we will have to bring in a camera to look up those laterals at some point when the repairs are done. The Town should continue to keep in line using the process we recently established, that is using the Town's camera, using the push camera when it is available, and once the laterals are identified with high flows and rates bring in a subcontractor and save the Town a lot of money. Last year using the Town's camera we probably saved the Town \$16,000.00. Cost of the repairs have been identified in this report. At Stevens Park and Seneca Chase you are looking at \$7,500.00 total. Manhole 21A16 an abandonment of the drop connections and repair to that Westerly main you are looking at approximately \$14,000.00.

Mr. Klobukowski: Where is manhole 21A...

Mr. Yost: It is right behind the corner house of Westerly and Fisher Avenue, it is like a wooded area between the first house on westerly...

Mr. Strong: Right after you go past the creek.

Mr. Kuhlman: Where Irving Turner lives Jerry.

Mr. Strong: Wesmond lateral lines, the lateral lining itself is about \$6,500.00 per lateral, to remove the driveways and restoration and install a clean --- you are looking at around \$5,000.00 so the total cost per lot is about \$10,000.00, there are 6 lots, \$60,000.00.

Mr. Klobukowski: Could these have been done when we were dealing with the other ones but these are the ones that (inaudible) problem?

Mr. Strong: That is correct.

Mr. Klobukowski: How much cheaper would it have been (inaudible).

Mr. Strong: Well the lining cost would have been about the same, maybe a grand or two less.

Mr. Yost: One was a champion tree, the tree ended up dying.

Mr. Strong: Westerly main line is approximately \$30.00 per linear foot that also includes the mobilization, mobilization is not all that much and there is 1630 linear feet, it comes to about \$28,900.00. The Westerly laterals along Hughes Road we are assuming we are going to find them in the same condition in that area, looking at \$40,000.00. And that brings the total for all that construction cost to \$170,000.00. Any questions?

Mr. Stump: A tough one. For all of those or for just those, do you have estimates on the number of gallons per whatever is easier to guestimate?

Mr. Strong: Well the tough one is it's a dynamic situation and as you build the head pressure up, not to say that something won't start leaking somewhere else, I gave you some quantities in there that were approximate and they were visual observations. The flow meters indicate that between those 4 meters right there, there is 5 manholes, and there is no other leaks, in that particular event there was 100,000 gallon flow.

Mr. Stump: Total or per manhole?

Mr. Strong: Total. So assuming it is not leaking somewhere in the line or somewhere else you are looking at removal of 100,000 gallons per event of very similar nature, conditions being the same, so there is a variance in there and that is why I say that probably the best way to look at any of this work is to look at it in percentages. If you were to look at an area that was producing a 2% or 10% amount and you were to reduce that area or clear that area up with lining and repairs and it didn't leak anywhere else then you were reducing that flow by that amount or percentage wise.

Mr. Yost: He doesn't want to say it but we would hope to get about 200 to 250,000 gallons per day out of the...

Mr. Stump: 5 days a week I am roles reversed with you so I hate to commit to those figures but I need to ask.

Mr. Kuhlman: John is trying to dodge a question.

Mr. Yost: Just looking at these leaks that is to say if we go and shut that leak off and it doesn't travel like you said, we will try to minimize that by lining the manholes in the whole section at one time.

Mr. Klobukowski: That is one thing too that when you line, I have two, well let somebody ask.

Mr. Kuhlman: All right any questions for John or Wade on this topic?

Mr. Klobukowski: Yeah I do but I thought somebody else might.

Mr. Hoewing: So your process for identifying problem areas, how do you decide where you are going to go and put the camera in and put flow meters.

Mr. Strong: It is a process of elimination, again the problem is...

Mr. Yost: Let me jump in John, my brain is ready to go. First you look at the pump station data, break it down and see where the bigger areas are and then we deploy our flow monitoring devices out into the system and narrow it down to a small area, and once we identify a high flow area there, then we have a TV camera go out, so you can see it shows the events and how they occur so quickly to do all that and try to track down leaks it took us a year and a half to get the data we have now to fix this, it is difficult.

Mr. Kuhlman: A lot of walking in the rain.

Mr. Hoewing: So the area where you have pump stations where you have to pump it up a grade or something that is where you (inaudible) and they already have measuring, they know how much is being pumped. You can see more is being pumped in one station than another during a flow event and say lets go...

Mr. Yost: Exactly and you start breaking it down into the main sections.

Mr. Strong: That is one of the ways that we came up with the problems in the Westerly area is that we looked at the flow data and we knew that that station correlates directly with the flows coming into the wastewater plant and we knew that we were getting really heavy flows compared to what should be there. We did an assumption as far as the number of gallons that should be coming out of each house and then built on that and then we have broken down that area and it took a year and a half of data to happen because the events happen rapidly and then they fall off rapidly and you don't have this prolonged nice infiltration process. It is a hybrid almost which takes place, it acts like an inflow but it is an infiltration process.

Mr. Yost: The big problem is a lot of the pipes, the older pipes especially, are laid right on bedrock so it is a natural stop for the water, it doesn't percolate passed it, it wants to hold at that point, all the new construction is in PVC and it has a ground ---- bed that it is laid into so it allows it to drain away.

Mr. Hoewing: And that also I would assume allows a lot more shifting than you would get with a gravel mound.

Mr. Yost: Right.

Mr. Hoewing: So you can't fix that, you are not digging the pipes up, there are sleeves that you pull through right and then you put cement on it.

Mr. Strong: It looks almost like a sock and it is impregnated with epoxy and then they, there are a couple different versions of the epoxy, but it is inflated and goes firm and smashes against the wall and then hardens up.

Mr. Hoewing: How long is that supposed to last?

Mr. Strong: AWA says 50 years.

Mr. Yost: It is tough stuff, it feels like a PVC when it is done.

Mr. Brown: How much does it reduce the size of the pipe?

Mr. Strong: Well actually you pick up flow rate because the pipe is now the coefficient of friction so it picks up the flow rate.

Mr. Yost: They are supposed to be an 1/8 to a 1/4 inch thick.

Mr. Kuhlman: He had a good picture of one of them there.

Mr. Klobukowski: If the pipe is on bedrock and you line it do you end up just fracturing the liner then?

Mr. Strong: I have not read any papers where that has occurred. Insituform was the one who invented this and...

Speaker: It really started to fly about 10 years ago so they did a little bit before that.

Mr. Klobukowski: Well they did it here in the 80's.

Speaker: They were doing it, but like (inaudible). Once you put that inside it does kind of like wrap on the inside of the pipe. If you have a larger pipe, you have bedrocking outside it might crack it but it usually doesn't puncture all the way through, usually the pipe will just have a small crack in it.

Mr. Strong: The Insituform, does anybody know how long a patent lasts, I have no idea.

Mr. Stump: Depends on how long you keep tweaking the patent after the fact.

Mr. Strong: Right. Insituform patents has expired, so Insituform who is the sole patent holder up until about 2003 the patent had just expired so that is why we have a lot of different companies who make a very similar product now and they all have their own formulas and such. I have not read any papers on pipes that have fractured. The no dig conference is actually going to be taking place in DC March 31 so it is a pretty big industry right now, I've been to a lot of the conferences and I have never been asked before how other than AWA says it will last 50 years and I just never heard of it fracturing.

Mr. Klobukowski: I am sort of concerned if the pipe is on bedrock and the pipe is fracturing, and this stuff here I don't know how valuable it is, it is probably not as valuable as Washington Gas pipe that they put in flexible where it can stand stuff pressing against it, it is designed to do that, are we really passing the buck down the road by not doing what we need to do now or is this going to really be a cure for awhile. 50 years is not a short time either I understand that.

Mr. Strong: It does have some flexibility to it, it has some elasticity and it is --- rated.

Mr. Hoewing: Even if it lasts half of that time the cost of digging up those pipe and doing a repair would be astronomical.

Mr. Strong: Right you saw, we are looking at a very short section of 6 inches, you are probably looking at roughly \$10,000.00 to excavate it.

Mr. Klobukowski: My next question is if we do the lining you go from manhole to manhole, you just don't do 6 feet, you do the whole area so that we don't end up doing 6 feet and then 2 feet down the road there is another break and we are back in the same...

Mr. Strong: No, no, no.

Mr. Kuhlman: That is what we used to do decades ago Jerry, you patch a crack at manhole 21 plus 7 feet and then 2 years later you are at plus 10 feet. I would just reline the whole thing now manhole to manhole.

Mr. Klobukowski: Now the manhole repairs, the repair can do it, not replacing the manhole.

Mr. Strong: That is correct because if you were to excavate, especially that manhole 503 that I keep on talking about which is down by the park, that cost would be astronomical, it is 15 feet in the ground and you would have to also, it's a 12 inch line that comes through there, and the sewage that comes through there is coming

from Hunters Run pump station so you have to bypass and pump that all around so economically this is probably the better repair.

Mr. Kuhlman: What success rate does Chicago, do they have any success rate statistics yet?

Mr. Strong: I have not seen the statistics for it but I haven't looked for them either. This technology has been around for awhile and its still being used.

Mr. Yost: We always see them at Rural Water, we see them all the time the particular vendors that do this.

Mr. Kuhlman: Any more questions for John or Wade? Thank you very much Sir, comprehensive report, very good.

Mr. Strong: Thank you.

Mr. Kuhlman: Whenever you are ready Mr. Yost.

Mr. Yost: Ok. You guys all have this sheet here I was going to bring it up online in case we wanted to play with the numbers a little bit. Basically what this is, is a spreadsheet because at the last meeting you asked me to put together a model to show the new houses coming online and where everybody is. You can see the vast majority of the people in Town are between the 0 and 30,000 usage range. Jerry actually put this together a couple years ago we used this and I just went through and collapsed the tiers for the first three as we did when the last water rate changed. Really of interest to you guys is the last page, I've added some tables in here and the first table on top just kind of lays out the annual percentage increase in the first column, the numbers aren't there but that is the current and then 2.5, 5% all the way across the board and then you have the annual operating cost for FY11, so I just updated the numbers, and you can see we are projecting for FY11 now \$80,000.00 deficit and if we did some increases you see what that would be until 2019 or something we would finally start to catch up. In the 2<sup>nd</sup> box there what I did was program in some 30 residences a year because that is the number we use for everything, new folks coming online, and I did an average of the new houses their usage, which was all over the board, we had one month of July Jim came in one day when I was working on it, we had 6 or 7 people in the 10,000 that was their average water bill for the first two month they were there, but then by the summer months we had 8 people in the 50,000 and over range, so really I just kind of averaged the whole year out and came up with a solid number for a good estimate of what folks are going to use in new houses, and programmed those in so you can see 30 per year going across the board. So it's a current structure and also on the annual operating expenses I put a 2% increase, actually a 1.5% increase in operations across the board because we know our costs do go up also. So you can see if we don't do anything as far as rates go we are still going to have a deficit up to 2019, at that point we are in the black by \$7,000.00. With the next box it shows a 5% increase and you can see by 2014-2015 we begin to break even. As to right away in 2012 we would just be \$23,000.00 in the hole. Of course you do have the variable of the 30 houses per year, are we going to get, are we going to get less. And then the last box is with a 10% increase starting out. And we can change these numbers around, put different variables in here to see how the scenario's will play out, if we had 20 houses per year or whatever, so any questions?

Mr. Stump: The 5% increase was across all the tiers or just across the...

Mr. Yost: It is 5% across all the tiers.

Mr. Klobukowski: Everything is across all the tiers on the back page right.

Mr. Yost: Yes.

Mr. Kuhlman: And what was interesting to me is if you start adding up different things, there is 1695 accounts and of that it is broken down, 1576 are in the zero to 30 range or 93% of the Town. And then you got 85 accounts in the 30,000 to 40,000, 14 in the 40 to 50, and 20 in the 50,000 and above and what's funny, in that one 7 of them are houses.

Mr. Brown: Is one of them mine?

Mr. Kuhlman: I don't know I don't have addresses.

Mr. Brown: One time I was.

Mr. Klobukowski: Can you go through that once more?

Mr. Kuhlman: Which one Jerry, all of them?

Mr. Klobukowski: Yeah.

Mr. Kuhlman: There is a 1695 account, there is 1576 in the zero to 30 for 92.98%, 85 in the next category, 14 in the third category, and they are all houses in that one, and then there is 20 in the 50,000 and above and 7 of them are houses, 8 businesses, 1 church, 3 schools and a pool. So 93% of the town is in the first increment.

Mr. Hoewing: Which has always been the case.

Mr. Yost: That is why we collapsed them last time.

Mr. Kuhlman: That is right.

Mr. Hoewing: And if you look at the churches and the Poolesville Elementary, John Poole, Poolesville High School, Western Montgomery I mean the amount of revenue raised from them is...

Mr. Kuhlman: Nothing.

Mr. Hoewing: I mean we are talking about lets raise it for the guys who use the most, we could raise it 100% and it wouldn't raise that much more revenue.

Mr. Brown: Yeah but the same people that say that will still say it again too.

Mr. Hoewing: Of course they will because it sounds like it is right but it is not right. The other thing we shouldn't do it but it is not going to help that much is the bottom line.

Mr. Brown: They already pay for it.

Mr. Hoewing: Yeah but the bottom line is not going to help.

Mr. Kuhlman: All right any questions or comments on the report?

Mr. Hoewing: So again we are not, the other thing we talked about at one point was a separate sewer charge, this is just all water.

Mr. Kuhlman: That is one thing that has been discussed over the last couple years. Jerry did you have something?

Mr. Klobukowski: I guess what I wanted to see was is a table with respect to 2000 what the cost have been with respect to personnel, chemicals, equipment, all of that.

Mr. Yost: I did that, I laid that out and just kind of figure out what the 1.5, we went and I talked to Eddie about it also to straighten it out, look at the raises we went a year or so with a really small raise or no raise, then jump to a 5%, and the chemical costs are pretty linear and easy to track but then we went through a period where we dropped down 5% one year, because we lost top personnel, so it was all over the board, there is not really a nice line that I could, the 1.5% is the overall 10 year

period is what I came up with. And we talked about salaries and I told Eddie we were jumping all over the place, so I laid that table out of what the CPI is for the last 10 year period, and actually if you would have followed CPI you would have had a much more linear smoother raise schedule all the way along and you actually wouldn't have given as many raises as you did. I didn't think it would turn out that way but it did, so that would help streamline it to make it a smoother curve rather than it goes up and down all over the place.

Mr. Klobukowski: Because we talk about raising rates and everything else, there are people in this Town who are on fixed incomes and every time we do that you argue and then you get into the point where somebody says well what you need to do then is have some sort of rebate or senior citizen rate and all this other stuff and you convolute the thing, it is convoluted and I think that is the wrong way to go. Is there anything that we could do with respect to the operation of the plant to reduce the cost in one area like electricity?

Mr. Yost: Well we have we installed the variable drive blowers which significantly saved it, we are looking at the grant we will be receiving from Maryland to replace the light bulbs which is going to be very minimal.

Mr. Klobukowski: What about wind service down at the plant?

Mr. Yost: We did it is about a 20 year payback so it is not really economically feasible to do that.

Mr. Klobukowski: It wouldn't help at all?

Mr. Yost: You'd just be paying it back. We'd have to put up like 20 different windmills for it to be cost effective and then that would be a huge payback over that time period.

Mr. Klobukowski: Well not to run the plant completely but...

Mr. Yost: No that doesn't run the plant completely. But really our costs have not gone up if you look at the operating expenses, we had chemicals, we had testing requirements from MDE that jacked us up a little bit, quite a few sometimes on the water side, and salaries and otherwise we have been very, very...

Mr. Klobukowski: Yeah but we got the filtration thing on well 2, we got the same coming on wells 7 and 9.

Mr. Yost: And that could be a little bit of added cost absolutely. The testing requirements from MDE that was over \$3,000.00 each year for the last couple years.

Mr. Kuhlman: What would be nice is to try to find a way to generate our offer to discharge the water from the plant but it is not enough flow.

Mr. Yost: Right exactly and it is intermittent.

Mr. Hoewing: At the zero to 30,000 what is the quarterly average bill would you say \$100.00 maybe quarterly.

Mr. Yost: Yeah about \$120.00.

Mr. Hoewing: So you break that down by 90 days, I haven't done the math but its like a dollar or \$1.50 a day.

Mr. Yost: Our water is very cheap relative to other jurisdictions.

Mr. Hoewing: That's cheap.

Mr. Yost: And they talk about making 15% increases, not that we should do that or follow that but they've had to, to sustain their system --- fund, they don't have the luxury of granting money over like we do.

Mr. Brown: If you take the numbers as they have been presented, we really have to determine the will of the group here to say do we want to knock down the grant or not and how much do we want to knock it down by, I am not into debating numbers and I also believe that we have all the efficiencies in place, because if we don't we would address those efficiencies as well.

Mr. Yost: And another thing we always worried before if we are going to raise tax rate, increase the water rates you should lower the tax rates, if you take a look at the CIP in the out years there is nothing. We usually have projects all planned in the out year, we have maybe a couple things out there, our revenues are diminishing more and more over the next 4 to 5 years.

Mr. Klobukowski: Yeah but we had nothing in the way of CIP planned because we don't need anything or because we can't afford anything.

Mr. Yost: Both. Well when you need sidewalks or whatever else that type of thing, we are doing the things we have to do, road pavings, vehicle replacements, those type of things, but a lot of the projects that we had in the out years we just, look at the pages they are blank in the out years, quite a few of them.

Mr. Brown: Well once again I stand on record that we have to knock down the grant, it is just a matter of how much, and how much we tackle in year one versus the out years and how fast the payback comes.

Mr. Hoewing: And it is also an issue of how because when you just charge for water now obviously when you flush the toilet you are paying a little bit of the sewer cost because of the water but you are really not covering the whole cost right.

Mr. Yost: Right.

Mr. Hoewing: So do you have a separate sewer charge, that is what some cities do, if you did a flat \$30.00 a house for sewer charge it probably would help quite a bit per quarter, not every month.

Mr. Brown: I would be in favor of the mechanism.

Mr. Kuhlman: That would raise about \$203,000.00.

Mr. Brown: Yeah it would crush the grant, but we could go less obviously. And I am not intent on killing the grant either because I know on good years it can take care of itself, so it is just a matter of, say that we looked at the 5% across the board increase model and looked at the way the out years worked that way, that is an acceptable model to me, it is just how we would get there, whether it is a sewer charge or a bump increase.

Mr. Yost: Well a 5% increase does a couple of things, it charges your bigger user more than the lower users, not a whole lot but it is about 35 cents per 1000 gallons if you do the increase, not really a big change to a bill. Or as Jerry just mentioned consider doing it 2 ½ and 2 ½ split it up.

Mr. Brown: Split it up on a 6 month basis or split it up do 2 ½ one year and 2 ½ the next year.

Mr. Gullo: My thought when I was doing the numbers was that if you would split it up from one year to the next you'd get to the point where you break even based on growth without having a big hit in one year, and basically you are zeroing out your increase in fact your 2% in operations you zero that out.

Mr. Klobukowski: (Inaudible) good each year.

Mr. Gullo: You are but looking on your current model eventually in FY18 you break even because of growth so you are just collapsing that, you not going to break even for several years but if you have a --- all in one year.

Mr. Klobukowski: Well let me ask you right about that time would there be any sort of major thing that we are going to have to do to the wells, the well houses, anything in there where all of a sudden we are going to incur thousands of dollars of replacement costs.

Mr. Kuhlman: Depends on what MDE starts mandating, number one.

Mr. Klobukowski: I mean this whole thing with the water runoff how is that going to get in there?

Mr. Yost: Well stormwater probably will be an issue in the future but really the county has control over the discharge, they have the MPES permit.

Mr. Klobukowski: They are broke, they will look at us as a, I am not...

Mr. Yost: But there could be some type of treatment on down and at that point you would have to put a surcharge on the residents if the county made us, it is still not developed there is not even a tier system that is going to be implemented, they don't have that yet, they have it they are doing the monitoring sort of thing. But I don't see anything for the water system coming down the pike that is going to be a major change.

Mr. Klobukowski: Nothing with the tanks that has to be done, relining the 500,000 gallon or the standpipe nothing there?

Mr. Yost: No both of those are in good shape, they were inspected last year.

Mr. Kuhlman: All right.

Mr. Klobukowski: When will they come up for significant maintenance, when would that occur? I am assuming everything is fine but there is a...

Mr. Yost: Well you have to repaint them in the next 15 years, at least that one, the other one is the glass coated steel tank so there shouldn't be any maintenance to that ever. I am not for sure what the life is.

Mr. Kuhlman: All right take a look at this thing and when we get back to the budget we will have some discussions on it.

Mr. Stump: Can you email the spreadsheet?

Mr. Yost: Yes I will.

### **Committee Reports**

Mr. Kuhlman: All right hearing none we will move on to Committee Reports, Planning Commission Chuck or George Coakley is here, we forgot you were back in Town.

Mr. Hoewing: And I noticed when you came back they immediately had an earthquake so good job, thank you very much.

Mr. Coakley: Three days after we left the Great Barrier Reef a Class 5 cyclone came through so our timing was impeccable.

Mr. Hoewing: Oh Lord.

Mr. Coakley: Ok the Planning Commission met last week and a few items on our agenda, we had a request from Winchester Homes to change I believe it was 6 driveways that were shared to individual driveways that we told them as it goes on through West Willard Road they have to get county approval first but that we were in favor I guess of breaking up the driveways.

Mr. Klobukowski: These are the houses that were on the T's right, in front of the high school? Yeah they were like a T, I remember, I argued against that to begin with.

Mr. Coakley: You are clairvoyant. All right we also reviewed a public improvement agreement for Wootton Woods, which is the Jamison Townhomes and looked at that, and we had a general discussion on the Westerly extension subdivision that Jamison is doing and we just talked in generalities about what roadage we might be favorable to, would we be favorable to a land swap and that sort of thing. And I guess the driving force behind that was I guess he was sort of looking for a strong feel for how we were the lie of the land type thing prior to spending any money on anything.

Mr. Klobukowski: So what was your feeling, I understand the argument goes you exit onto West Willard or do you use Oxley Farm?

Mr. Coakley: Originally I wanted it to go Oxley Farm and then just have Westerly be the main outsource onto West Willard Road, however there is a number of other extenuating circumstances that have sort of swung me back the other way.

Mr. Klobukowski: What the primary would be off of West Willard.

Mr. Coakley: Well the one thing is I know it is hard just for one vehicle to get through up there if you have parking along the curbs.

Mr. Klobukowski: On Oxley Farm?

Mr. Coakley: No on West Willard, if you had someone parked on the curbing there, if you have another car parked that is even partially on the road on the other side it would make it difficult if you had to get fire apparatus or anything like that into West Willard or into Westerly I am sorry to go down Oxley Farm to get back into that part. The other thing is the builders would like to be able to put an entrance feature to help sales and stuff and that would be impractical I guess...

Mr. Klobukowski: On Oxley Farm?

Mr. Coakley: Well I am sure they would like to have it out on West Willard, then you have that, so those I guess are the two main reasons why it would probably be better I guess just to extend it straight out instead of going across Oxley Farm and out.

Mr. Klobukowski: That makes sense.

Mr. Coakley: Not to mention all the residents who live on Oxley Farm don't want that being a major thoroughfare going through, which if I lived there I would agree with that also.

Mr. Klobukowski: Excuse me let me ask one other question. There would be a land swap so that you would still keep the West Willard Soccer Fields as it is now.

Mr. Coakley: Yes. I mean all the details of that would have to be worked out but that would be the general idea in the land swap.

Mr. Klobukowski: Ok thank you very much George.

Mr. Coakley: Any other questions?

Mr. Stump: We have got a work session on Thursday right?

Mr. Klobukowski: I do have one question, one more question on the Master Plan. About the Savannah plan, Savannah Rules, you talk about unifying main street or architecture down main street, yet but we don't have anything that makes it mandatory that any new construction that comes in would adhere to these

Savannah Rules and I was wondering are you considering anything in that area or are you just going to leave that the way it is?

Mr. Coakley: Well we are beefing that up a little bit but any new construction or remodeling done in the Central Business or the Business District has to go through Site Plan Approval so that has to come before the Planning Commission and they have to convince us that this is what they want to do.

Mr. Klobukowski: So would it be possible that the echocardiogram that is over in the shopping center where Selby's is located, would be done away with if something more in align to the Savannah Rules the plan would come into affect, in other words that little you know like some of these...

Mr. Kuhlman: Oh the roof line.

Mr. Klobukowski: The roof line that that would as opposed to somebody just before they flat lined, you know maybe we would get something there if he was going to, or anything else if Donogan was to develop something on the other side, which he can do yet, that those buildings would comport with the Savannah plan?

Mr. Coakley: Well CVS we had put a nicer structure in than they had originally intended. When Tad put his building in at least cost possible, we did our best to keep him in something that fit within the...

Mr. Kuhlman: The answer to your question Jerry I think is if Donogan, if the new owner of that property from Selby's down to the bank, came in to do a renovation of the outside they would have to comport to the new regulations.

Mr. Klobukowski: I don't mean to interrupt Eddie but you use the word regulations and they are not regulations, they are suggestions.

Mr. Kuhlman: They are right now, but if they become regulations they would have to comport to them.

Mr. Stump: This is the interesting discussion we have had going on and George you can (inaudible), the Master Plan is guidelines, they should not be regulations, if zoning or any of the other code wants to then pick up regulations that means going into all the detail but the Master Plan should not be to that level of detail at least not down to actually specifying the law or code, it should be a guide to this Board and other Boards to pick up and work from to lay out the Codes and Regulations to meet the Master Plan as approved by us.

Mr. Coakley: It is very difficult to write regulations dealing with aesthetics.

Mr. Klobukowski: Well if you have the Savannah Plan and you have it there and it is funny because people on this Board have used that one time its people should comport with it, the next time they are saying its only guidelines, the thing is again if you are going to have a unifying theme throughout the entire Town then we ought to make it a unifying theme and there ought to be regulations to back it up and it shouldn't be mere suggestions and I guess maybe what you are saying Chuck is do we then transpose this into meaningful regulations that make people come in and comport with that so we do have a unifying theme throughout Town. Its like even McDonalds went back to their, well not quite back , it wasn't as nice as what it originally was but at least back to something less brash than the red and white and I know I go up to various places from Alexandria, Virginia to Rochester, New York and see different Home Depot's, McDonald's, Lowe's, CVS's, Bass Fishing places, that comport with the local area.

Mr. Kuhlman: Well why don't we wait and see what they come up with first before we debate it. When do you anticipate being ready to forward the document to us?

Mr. Coakley: Friday.

Mr. Hoewing: He didn't say what year.

Mr. Kuhlman: A finished document.

Mr. Coakley: I would say the way it looks now with summer and everything coming on that probably early fall would be an optimistic.

Mr. Kuhlman: And when is the timeframe up.

Mr. Hoewing: It is already up.

Mr. Yost: February 5<sup>th</sup>.

Mr. Kuhlman: And you anticipate some radical or dramatic changes to the document?

Mr. Coakley: Well I guess radical is in the eye of the beholder.

Mr. Kuhlman: Well I said or dramatic.

Mr. Coakley: Maybe a few nothing terribly earth shattering. I mean there has been a lot of changes in the last 5 years so it is not like you can just say ok this section is ok, this section is ok, between requirements of the County and the State for adding additional chapters and stuff, there has also been a lot of changes to the Town, you have done things so you have to eliminate that or put it into the past tense instead of what we are suggesting being done and stuff and everything, so it is a fairly extensive rewrite of what we have, it is not where you look at it and say ok this hasn't changed in 5 years, this hasn't changed in 5 years.

Mr. Stump: The major changes are in areas that we are just getting ready to get into this week, we have kind of been holding off on two major areas, and actually they deal primarily with the topic you are bringing up Jerry, general theme and look and feel and potential zoning issues from...

Mr. Yost: They may include recommendations to codify some of these things.

Mr. Klobukowski: I'm not talking park benches and lights I am talking buildings, facades...

Mr. Stump: No we are staying out of the deep...

Mr. Kuhlman: Let them finish the work and get us the document. Thank you very much Sir.

Mr. Hoewing: I do want to raise an issue though on the Savannah Plan because I was on the Commission that adopted that, and I thought and maybe this is wrong, the Attorney can tell me this is wrong, I thought that we could not mandate that you had to have a certain design for a building, that has to look like a revolutionary war building for example, that is why they are guidelines and that is why you have the approval process because you are negotiating trying to get them to do it and most cases we have gotten them to do it.

Mr. Coakley: That is why I told Jerry it is difficult to mandate aesthetics and architectural guidelines and stuff, which is why even in Savannah they've had a number of lawsuits to try to get people who have designed a certain building to comply. They have the same problem in Georgetown when the Apple store wanted to look a certain way and the Architectural Review Board and stuff down there wanted it to fit in more with the surrounding stores.

Mr. Kuhlman: Well why don't we let the Planning Commission finish their work.

Mr. Klobukowski: But at the same token at MML they gave a whole work session devoted to this saying that if you tell a corporation who really wants to come in to your location, they will comport with your rules, and it seems like we tend to believe the corporation like CVS did and before that Rite-Aid wanted to build something across from the Elementary School in their blue and white fashion that they basically told us we had no right to request this. But yet in this book that they handed out to everybody you can see the different Home Depot's, the different Lowe's all these different things, and they agreed why because they wanted to come into the market.

Mr. Coakley: It is in the approval process, the Planning Commission uses exactly what we have right now and the Planning Commission sticks to its guns and makes their demands known, they can get what they want.

Mr. Kuhlman: Thank you very much Sir. Parks Board?

Mr. Brown: The Parks Board met and we actually went through the permit approval process, most of it was already fleshed out, the PAA sports organization has added Lacrosse to its mix this spring, which added some consternation in terms of deciding what fields got what sports, but just about everything was worked out. I am not sure if there are any conflicts left over but most of them were hashed out that night and I will not be taking any questions on this.

Mr. Kuhlman: CEDC?

Mr. Hoewing: They are meeting tomorrow night.

Mr. Kuhlman: Good deal.

### **Town Manager's Report**

Mr. Kuhlman: Town Manager, oh nothing.

Mr. Klobukowski: I have one thing, we talked about when the CEDC was here, Cathy Bupp about looking for a Blacksmith and I passed information to her about that up at Boyd's Bears up in Gettysburg, there is a guy with a portable forge up there and also a gentleman I work with is a Civil War Reenactor, he gave me some newsletters and magazines, which I've put in Cathy's office. These magazines you can put an ad in or you can call these organizations and they will attempt to come at that time, so there is two avenues one you call the guy or you put an ad in these Civil War Reenactor magazines and see who will show up.

### **Citizen's Forum**

Mr. Kuhlman: All right. Citizen's Forum, anybody? Seeing no hands I entertain a motion to adjourn to Executive Session.

### **Adjournment**

Mr. Brown: I would like to make a motion to adjourn to Executive Session as provided for by the Annotated Code of Maryland, State Government Article Section 10-508(a)7 to consult with counsel to obtain legal advice regarding a zoning request.

Mr. Kuhlman: Is there a second?

Mr. Stump: Second.

Mr. Kuhlman: All in favor?

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

Mr. Klobukowski: No.

Mr. Kuhlman: 4 to 1 we are adjourned to Executive Session.

Executive Session Minutes  
February 22, 2011

Present: Commissioners Link Hoewing, Jim Brown, Jerry Klobukowski, Eddie Kuhlman, Chuck Stump, Town Manager Wade Yost and Town Attorney Jack Gullo.

The Commissioners adjourned to Executive Session as provided for by the Annotated Code of Maryland, State Government Article: Section 10-508(a)7 to consult with the Town Attorney regarding a zoning request.

The Town Attorney produced a written opinion and from that the Commissioners decided to task the Town Manager with writing a letter denying the request.

The meeting was adjourned.