

**COMMISSIONERS OF POOLESVILLE
MEETING OF OCTOBER 4, 2010**

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

Call to Order

Mr. Kuhlman: Good evening ladies and gentlemen we will call the October 4, 2010 Commissioners Meeting to order. For the record let it reflect that all Commissioners are present except for Mr. Brown and also present is Mr. Yost Town Manager. First order of business will be the Pledge of Allegiance if you will please 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 very much. Announcements I would just like to thank everybody that worked on Poolesville Day I think it turned out very good, we had a large crowd, I don't know if we broke any records but it was a very fine day, a very exciting day and I think our Committee Members deserve a lot of applause and a lot of thanks and gratitude. Any other announcements?

Mr. Klobukowski: I think they did a remarkable job, I think it showed basically what being a community is all about, I know that during the week it is hard for neighbors to see each other because we are commuter community and people get up in the morning and go to work, come back, go to their homes, eat dinner, watch a little T.V. go back to bed and start the cycle all over again so this is a great opportunity for everybody to come together and chat for a little bit longer than maybe nodding their head on their way to their houses and like I said the Committee as Eddie said did a fantastic job, I think everybody really thoroughly enjoyed the day who attended and I thank them for their efforts, really appreciate. And the movie at the end was a very nice touch.

Mr. Kuhlman: Yeah about 225 people there. All right anything over here. All right last announcement is at the September 20th Commissioners Meeting we did have an Executive Session, all Commissioners were present as well as Town Manager and Town Attorney. The subject of discussion was the Dr. Mevissen's request regarding their existing home based business. We asked the attorney to contact the attorney's for all the parties and have some discussion with them and we will get a report back from him after that happens and it hasn't happened as of yet.

Approval of Minutes

Mr. Kuhlman: All right need approval of minutes on March 20 including the Executive Session minutes.

Mr. Klobukowski: So moved.

Mr. Kuhlman: Is there a second.

Ms. Gruber: Second.

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

All: Aye.

Mr. Kuhlman: Motion carries unanimously.

Open Forum – Charter Revision Questions

Mr. Kuhlman: All right for the next two meetings we will be having this subject, open forum anybody have anything they want to discuss on the Charter Revision Questions. Mr. Pierce please.

Mr. Pierce: Robert Pierce, 20300 Westerly Road, Poolesville. Good evening I was very disappointed by the latest issue, I guess it's the latest one it just says October 2010 of Straight Talk. To me this isn't straight talk this is one politicking when you say Vote yes on Charter changes. And I think that it is pure spin when you write the following paragraphs will identify the remaining three amendments, and I think it was supposed to say some of which were distorted and or misrepresented to any of the folks who signed the referendum signature sheet. Do you have any factual basis for saying that it was misrepresented, did you get a lot of letters from people saying it was misrepresented?

Mr. Kuhlman: We've gotten questions, comments, and concerns from citizens.

Mr. Pierce: How many?

Mr. Kuhlman: I've had at least a half a dozen or better.

Mr. Pierce: Ah so that is out of how many signatures did you get, 700...

Mr. Hoewing: But also I was up in Town at Selby's and I listened to the way it was presented Bob and it was misrepresented many times, I was listening to it.

Mr. Pierce: And everybody had the opportunity to read it.

Mr. Hoewing: Well you know what happens with these things they didn't read it. And I don't blame them, it was presented in a way that sounded pretty bad so I would have signed it.

Mr. Pierce: And I personally think there are some items that are pretty bad. So I just think that that is inappropriate to say unless you had the majority of people were misrepresented, hearing a few people say...

Mr. Hoewing: It wasn't a few.

Ms. Gruber: It was more than a few.

Mr. Hoewing: But your other point I will agree with. And we should not have said yes vote for the amendments, that is a political statement I agree with that, that should not have been put out.

Mr. Pierce: I don't think Town money should be spent on that kind of thing going out to the public.

Mr. Hoewing: That was more our fault for not catching it, my fault.

Mr. Pierce: There were 3 items listed and I disagree that there are only 3 items, certainly I have more concerns. On April 7 I gave you a 6 page list of concerns I have with the Charter Amendments, I think the biggest problem was you rushed to do it, you had Charter meetings open to the public but nobody had any idea to the extent that you were going to modify the Charter, there was nowhere that I know of during those preliminary meetings that were open to the public to come that you identified what the topics were going to be, I certainly missed it. But be that as it may you went through and you went through them and approved them very quickly, without allowing the public to debate it, you had a year that you took for debating Alternative Energy and the changing of our Town Constitution was rushed through

in a matter of a few weeks after it was approved the first draft on it. With regards to the 3 items and I don't know who picked these 3 items as being the major issues but I certainly had more than 3 items that I felt were concerned. With regards to the Commissioners pay, I think what you really misrepresent is number one that at the same time you voted to allow the Commissioners to get paid, you voted also to cut the pay for people, the potential pay, there is no pay for anybody now, but the potential pay for George Coakley and his Planning Commission, the Ethics Board. Link and Jerry voted against the...

Mr. Kuhlman: No it's the Planning Commission and Board of Zoning Appeals were the ones that were cut out Bob.

Mr. Pierce: I know ok and I am saying to me they work as hard as you folks do. There is no reason that you should now have the potential to get paid and they shouldn't so that I find to be very disturbing that that wasn't mentioned at all in this write up in Straight Talk, that is one of the I don't think you all should be paid ever, I don't think a provision in there, the Town has always worked on an altruistic basis, we've always had people running for Commissioners, we have got people running for Commissioner this next go round, if there is ever a time when there is not going to be enough people maybe it can be considered but I think that it is totally wrong. The second one was the budget, the second one in Straight Talk that was picked was the budget amendment and there is no discussion there that the last paragraph of the budget section of the Charter Section 82-1.3.A.G. negates the 7% cap, it basically says irrespective of what is said was said previous in this section, the Commissioners can do whatever they need to to budget and...

Mr. Hoewing: That's wrong.

Mr. Kuhlman: If we decide to increase the tax revenue by more than 7% than we have to meet the timeline spelled out in the Charter and the people can avail themselves to a Referendum against that increase.

Mr. Pierce: Section A.G. "Nothing in this section shall be construed to limit the power of the Commissioners to adopt budget amendments or authorize special expenditures as may in their judgment be required in the interest of the general health, welfare and safety".

Mr. Hoewing: That's after the initial budget.

Mr. Kuhlman: That is afterwards.

Mr. Hoewing: That is common.

Mr. Pierce: But that is an addition that essentially negates the cap.

Mr. Kuhlman: No.

Mr. Hoewing: No.

Mr. Kuhlman: We can't increase the taxes but we can alter expenses and say we have a well problem and we need a large amount of money to repair that we decide lets put off buying a truck and move that money over to take care of the well problem in midyear, we can do that with that statement you just read, but we cannot increase taxes in midyear.

Mr. Hoewing: Once a year.

Mr. Pierce: You can have borrowing authority though, I think you granted yourself borrowing authority.

Mr. Kuhlman: Always have had that.

Mr. Pierce: So again that paragraph with the borrowing authority allows you to exceed the annual budget in essence if you decide it is appropriate.

Mr. Klobukowski: Well then what would you have us to do like when we found problems with the well and we put a filtration system on it, would you say well we can't do anything and defer any action on something that might be critical to help the welfare of our citizens because its not in the budget, I mean we have redirected money before when we needed to.

Mr. Pierce: Well I know you've always done it, and you've been redirecting the money for the ratables for money and sewer for years and I think that is inappropriate. I think the way it is worded gives you open ended authority, I don't have a problem with you doing what is needed for the health and welfare but this is open ended authority to in combination with your Ordinance that says that you can borrow money to do whatever you want within a budget year in essence, you can borrow money beyond the budget.

Mr. Kuhlman: That hasn't changed, we didn't change any of the language in there.

Mr. Pierce: Well this is brand new.

Mr. Kuhlman: No.

Mr. Hoewing: No its not.

Mr. Pierce: It's underlined, its in red and underlined. I am talking about G it is brand new see what I am saying. The third issue that is brought up in Straight Talk is the addition of the Community and Economic Development Committee and I have no major problem, I thought there should be some cleaning up of that which there wasn't, but I don't have any problem with them being in the Charter, my problem is that you consciously excluded the Ethics Commission from being in the Charter which has far more import in the overall scheme of things than does the addition of the Community and Economic Development and Mr. Hoewing brought it up after I raised it as a comment, he brought it up and you had some discussion and you said well it is in the Ordinance that is good enough. The Ordinances are not the same as the Charter, the Charter is essentially the Constitution, every other group you have in this Town is in the Charter but the one that is in my view the most important the Ethics Commission its not in the Charter so I think that was left out it should have been in the Charter.

Mr. Kuhlman: I can't disagree with you Bob but I will say this I was on the Commission in 92 or 93 when the Ethics Commission was voted in and first done and we put it in the Ordinances because that is where the State said they wanted it I believe I will have to check on that.

Mr. Pierce: Well that is fine but you were not at the time, you were putting into effect what the State told you you had to put into effect having an Ethics Commission and you weren't doing a Charter revision. Now you have done a comprehensive Charter revision and the thing is just not clean that is one of the things, it should have gone in the Charter as well as if it was in an Ordinance that doesn't matter but it should have been in the Charter. Left out of the Charter amendments is what I believe is a very essential requirements that water and sewer be made an enterprise activity just like it is in virtually every municipality in the State, that would change how you fund things, that would require a changing of water rates, it would require you to charge the County for capital improvements, everything would be wrapped

into one bill, the rates would reflect the total costs for running it, property taxes could come down, water rates would go up but the net benefit would be that the County would start paying all the expenses, not simply the dollar amount they use for water. Now at a subsequent meeting Mr. Kuhlman you said that you did a calculation and it came out with something like \$7000.00 additional revenue, I think that that's far underestimating what it would be if it was done because I have seen other people that are budget savvy that have done other calculations that are 5 to 8 times higher than that but even with \$7000.00 you have no right to use the property taxes of the property owners in town shortchanging them \$7000.00. If it is \$7000.00 or \$17,000.00 or \$170,000.00 you are still not getting the money that the property owners in town deserve because we are not getting it from the other entities. Further in the water portion of the Charter you have the point about requiring all wells and septic systems to be closed down, as I said back in April I believe that that is flat out a constitutional taking, you argue in the actually it was an earlier Straight Talk from May of 2010 the statement was "wells exist that are no longer in use and potentially could cause a contamination issue of the Town's water supply" you have right now in the current Charter the ability to rectify any existing well that is no longer in use and have it closed down, you can order that, there is no need to modify, it goes on to say "The Commissioners feel private well abandonment is an important issue for the greater good of our residents" well that is why we have the 5th and 14th amendments to the Constitution, the greater good needs to be paid for by the public its not simply that government agencies can take private property rights and water in the state is a property right. The state law does not allow somebody else to take water if you drill a well as you guys found out with the Schraff well you had to replace some other wells, that is the way the state law reads so cutting out your language in there that provides as it does now for somebody to come in and argue that they have justification for their well and it won't harm the Town or septic, I would agree for the septic but the wells are something that you are going to have a technically hard time of arguing that everybody's well is hurting the town and without that language in there it's a quick take you have just decided to constitutionally take private property and that should have been in Straight Talk, it was in the earlier one it wasn't in this vote yes on the Charter change. So I think that there are some problems with the Charter I think you should of spent a lot more time or working with the public after they knew what was being proposed for changes and probably wouldn't have ended up with a Referendum.

Mr. Hoewing: Bob on the water thing I think there is another point which you raised earlier which is if a line is going in in front of somebody's house that has a well, lets take that as an example why shouldn't that person have to connect to the Town's well?

Mr. Pierce: Why should they have to?

Mr. Hoewing: Why should they not have to? Because you just argued that everybody should contribute to the water system equally to keep it going, you are basically saying that that person should not have to contribute for some reason just because they have well they shouldn't have to contribute.

Mr. Pierce: No that's yeah...

Mr. Hoewing: Well what are you saying then?

Mr. Pierce: I am not saying that everybody should contribute equally because you have been using my money, for 25 years you have been supporting taxable water and sewer rates the ratables that have fallen short by transferring property tax money to the water and sewer fund.

Mr. Hoewing: Your point is wrong of who is paying it though, the big users are the ones that are actually paying above cost for the water, they are paying above...

Mr. Pierce: Not paying any of the capital improvements, they have never paid any of the capital improvements.

Mr. Hoewing: But we have always done that by the general budget, it has always been done through the general budget that has never changed.

Mr. Pierce: The capital improvements only go to property tax payers, capital improvements, it doesn't reflect in the ratables.

Mr. Hoewing: The point is that its both a --- issue and its also an issue of fair contribution, if the system is going by your house you should have to connect there is just no question in my mind.

Mr. Pierce: Well that may be in your mind but again it's a taking.

Mr. Klobukowski: Well I have to agree in a way with Mr. Pierce because if I have a well and I am using it and I drilled it and I paid for it, I've already sunk the cost in by drilling it and I have the water and you are going to turn around and make me hook up, that is not a logical argument because I have done all the work I went and did what I needed to do to make sure the well was viable was potable I had it for as long as I was there, now what we have done in the past though on the same token is we've reached some sort of accommodation that you had use of the well up until you sold the home, not your survivors but you sold the home out of your estate that was it.

Mr. Pierce: Well that was a negotiated agreement.

Mr. Klobukowski: But I can understand your point there but when you talk sewer though I have a real big problem there because if you have a sewer and we are on wells and you end up contaminating a well because of your sewer then all of a sudden whose going to reimburse the Town for all the costs they need to remediate the well it won't be you because you will be coming to us saying well it was your well you sunk it there you put it there you did all this stuff you should have known.

Mr. Pierce: Let me remind you and I'm appreciative of what you saying but let me remind you when we had the dispute over the Schraff well the first thing I came in to you folks was I suggested that you run a sewer line down Westerly Road and you said no you said hell no we are not going to run a sewer line down Westerly Road and it is part of the agreement that we entered into the settlement agreement between you folks and myself, my wife and I, it says that you can never claim that my septic system is adversely impacting your well. I agree fully with the sewer system I asked you to run a sewer line to require a sewer line to be run down and you folks said no.

Mr. Kuhlman: It's in the site plan it is approved.

Mr. Pierce: There is no sewer line out to unless they have changed the plan.

Mr. Kuhlman: It runs all the way down Westerly to Becky Brooks's property.

Mr. Pierce: The sewer line?

Mr. Hoewing: Yes.

Mr. Pierce: So there has been an amendment to the...

Mr. Yost: A long time ago.

Mr. Hoewing: Yeah.

Mr. Pierce: It has to have been since the settlement.

Mr. Kuhlman: No it was before that.

Mr. Pierce: I guarantee you I looked at it.

Mr. Kuhlman: We told you the sewer line was going to go down Westerly we wanted you to hook up to it.

Mr. Pierce: You did not. You said the water line not the sewer line, the sewer line is over on the cul-de-sac behind the....

Mr. Kuhlman: The sewer line will run right down along side Westerly Road to Becky Brook's house.

Mr. Pierce: Well I will bring it in next time in writing and show you that you told me you are not running a sewer line and I will bring in the plans from when we were in the settlement negotiations that show no sewer line and I will bring in the settlement agreement that says because you have no sewer line you agree that you will never hold me as harming the town's wells because of my septic system, so I will bring all that in next meeting and we can go over it.

Mr. Kuhlman: You don't need to Bob. Anything else on the Charter Amendment because we need to move forward?

Mr. Pierce: No.

Mr. Kuhlman: Thank you. Before we move on let the record reflect that Commissioner Brown is present. Anybody else have anything on the Charter Amendments.

Open Forum & Citizen's Comments on Agenda Items

Mr. Kuhlman: All right seeing no hands we will move forward. Anybody have anything under citizen's comments and open forum, Mr. Pierce.

Mr. Pierce: Robert Pierce, 20300 Westerly Road. At your September 20 meeting you introduced Resolution 07-10, which deals with fees in town. I would ask that the next version of this before you vote on it show what the existing fees are not just what you propose the fees to be because I suspect most people like myself in Town don't have a clue what the existing fee structure is, but the table just has what the fee is and what the new fee is going to be.

Mr. Klobukowski: I recommended that by the way.

Mr. Hoewing: I thought we agreed to do that.

Ms. Gruber: We agreed to make it available to anybody to have.

Mr. Kuhlman: The decision was to provide (inaudible).

Mr. Pierce: But it is not there that would be good.

Mr. Kuhlman: They have it at Town Hall.

Mr. Pierce: I just picked this up today.

Mr. Kuhlman: Did you ask for both?

Mr. Pierce: I picked it up the thing you put out for people to look at.

Mr. Kuhlman: Ok we will get the old one put out tomorrow.

Mr. Pierce: Ok thank you. The one item and the reason I am bringing this up beyond that is that I am traveling during the next meeting when you are going to have this I think I was told you would probably have this on the next meeting for vote. I would

remind you that under the water allocation scheme in town or whatever you want to call it, the water allocation for 1 to 4, within 2 years of people being notified that water is available to them they have to submit a preliminary plan.

Mr. Kuhlman: Yes.

Mr. Pierce: Whether they want to subdivide their property or not the only way that they can retain their water rights is to submit a preliminary plan. This new fee schedule requires \$500.00 plus \$50.00 per unit, so in my case to just maintain water and sewer for my property if I ever want to sell the land and hook up, which I have no intention of doing in the foreseeable future I am going to have to pay \$700.00 just to comply with your scheme for water and sewer allocation. I made a suggestion months and months ago that that is way past the life of it when that scheme was set up and required people to within 2 years pay for that we had 6 wells at the time and a lot of people asking for water, now we have got I don't know where we are 11 or 12 wells the state has said there is surplus water and even without the new wells that are coming online there was enough water for the new homes that were being built I think that it is time that you do away with that provision of the its not an Ordinance it is just recommendation guidelines, allocation plan do away with that part that on 1 to 4 lots people who have been paying property taxes for all these years should just be able to get the water and sewer allocation whenever they need it now that it is available to everybody and not have a 2 year sunset.

Mr. Kuhlman: But it is not available to everybody. We have land in Town that can be developed beyond what is on this allocation list.

Mr. Pierce: I understand that.

Mr. Kuhlman: And there were people that did not submit so if you don't want to use it you should not have submitted but our idea is to get it out there, get homes built, collect taxes.

Mr. Pierce: Yeah I understand that and also a pretty healthy fee for having to comply with that plan \$700.00 if you have no intention of using it right then use it or lose it --- genetics I understand that. I still think for the 1 to 4 lots you ought to do away with the 2 year or else alter your preliminary plan fee for people that are on that schedule that are forced to either lose potential water and sewer forever or until you do another allocation which may be forever or having to do a preliminary plan you are forcing people to do a preliminary plan then you are charging them in my case \$700.00 to do it.

Mr. Kuhlman: Well if you have no intention, what is your timeline of developing the property?

Mr. Pierce: I have no timeline I don't intend to...

Mr. Kuhlman: Then I would advise you not to pay the \$700.00.

Mr. Pierce: Pardon me?

Mr. Kuhlman: I would advise you not to pay the \$700.00.

Mr. Pierce: But then I lose the water rights.

Mr. Kuhlman: You will lose it even if you pay the \$700.00 and don't use it.

Multiple Conversations Taking Place

Mr. Pierce: Your guidance only says a preliminary plan has to be presented, it does not say anything beyond having to submit a preliminary plan that's it.

Mr. Kuhlman: Yes but then the preliminary plan has got to get approved and used.

Mr. Pierce: It doesn't say it has to be used, it doesn't say you have to go to final plan, it doesn't say you have to use it it says you have to submit a preliminary plan.

Mr. Kuhlman: Ok all right.

Mr. Yost: The Code picks up on it. The rules in the subdivision regulations actually specify a timeframe once you begin the process.

Mr. Pierce: So you have got the non-codified thing on water and sewer allocation that sticks you into a codified process that you have to comply with.

Mr. Kuhlman: There are time constraints involved yes.

Mr. Pierce: Well ok.

Mr. Kuhlman: All right anybody else, anything in general.

New Business

Mr. Kuhlman: All right we will be receiving a presentation tonight by Rebuilding Together Montgomery County for those of you that aren't aware they are contract purchasers of the property 2.11 acres right next to the Elementary School, they are proposing to build townhouses and we are going to here a presentation from them tonight, is there anybody that wants to make a comment on that before we hear the presentation? Seeing no hands I will invite you to the table Sir.

Mr. Paukstis: My name is John Paukstis I am the Executive Director for Habitat for Humanity of Montgomery County we are not Rebuilding Together that is another organization.

Mr. Kuhlman: That is what it says here.

Mr. Paukstis: Habitat for Humanity of Montgomery County. So yes we have a sales contract that we signed with Jamison Real Estate to acquire 17 townhouse lots next to the Elementary School right on the main road coming into town and what I would like to do is go through a presentation to tell you about Habitat and tell you what our plans are. Ok so Habitat for Humanity International was founded in 1976 in Georgia a worldwide builder of modest homes, it started out as a very grassroots organization of trying to build simple decent homes in the community and today we build in nearly 100 countries around the world, we've built 350,000 homes, we are a non-profit organization and we are currently the 8th largest builder in the U.S. The first time we've been on the top 10 list. We've built about 80,000 homes in the U.S. of the 350,000. Our story is that we were founded in Montgomery County in 1982 so we are an independent affiliate of Habitat International so every year our Board of Director signs a Code of Conduct and Covenants to use the name Habitat for Humanity and we only operate in Montgomery County. We are 1 of 1500 affiliates around the U.S. and we are 1 of 18 affiliates in the State of Maryland. As I said before we only build in Montgomery County, only work in this jurisdiction, if you were to go to Frederick County or Howard or Prince George's they are separate independent affiliates, we have a governing Board of Directors, we have a slide on that, we built our first home in 1986 in Sandy Spring and we have completed 56 homes since then and these are either new construction or what we call rehabs, rehabilitating existing homes. The good story about that slide the 56 homes is we've only had 1 foreclosure in all of our existence and all the other 55 homeowners still own their homes, no one has resold a home. This is our Board of Directors you may recognize some names on the Board a good cross section of the community, they provide governance they help us with community events, they help us with

fundraising and so on. And we have 6 board meetings a year. Our staff is a staff of 14 we are located on Gaither Road in Gaithersburg right off Shady Grove. Professional staff we have with me tonight the Deputy Director who is responsible for finance and development and so on, we are a GC so we are contractors so we are the general contractor when we do a job. Jeff is with us tonight he is the Director of Construction and Jessica the Director of Volunteer and Family Services. So we have a professional staff we also have a Restore on Gaither Road where we take donations of appliances and furniture and building materials and we sell them to the public at deep discount prices. Ok next slide volunteers a lot of what we do around the world is the use of volunteers, in Montgomery County we have about 2000 volunteers a year that volunteer in many ways on the construction site most of the folks who know about Habitat for Humanity know that they associate us with swinging a hammer and framing and building homes and we do have a lot of that. We also have committees that we have, we have the Habitat Restore we have volunteers so about 2000 volunteers that help us in some way and they come from businesses, individuals and a lot of faith groups that help us. Our purpose is to create decent housing to unleash potential so we are a non-profit builder and we sell the homes at cost and we will get into more of that later but we are trying to unleash the potential of particularly children who are living in substandard conditions. Our vision is a community with healthy, safe, and affordable housing for all. Not too many people argue with that vision. Our mission is to partner with community and create homeownership opportunities for low-income families in need of decent housing. So we are a homeownership organization. This is a very progressive county as you know, Montgomery County, we have the Housing Opportunities Commission, Montgomery Housing Partnership, a lot of great organizations that are providing affordable housing, but most of that housing is rental housing, it is more transitional, these are good programs, but our programs are homeownership programs. And there is the case for affordable housing and I'm sure you know the statistics nearly a million folks live in our county, we have the area median income is quite high, it is one of the highest in the Country, \$103,500.00 and we serve the need of \$35,000 to about \$84,000 for a family of 8, so traditionally Habitat was founded on serving the income range of 30 to 50% of median income. In the case of this project in Poolesville it would be 30 to 80% we wanted to make it a mixed income community. So those who are serving the need, we have the Housing Opportunities Commission, they serve 22,000 families, Montgomery Housing Partnership, 1165, the MPDU Program which I am sure you are familiar with is the County run program and Habitat at the bottom so those are the primary folks who are serving the needs of the county.

Mr. Hoewing: So in your program do the homeowners actually have mortgage payment they have then?

Mr. Paukstis: Yes they do.

Mr. Hoewing: They do?

Mr. Paukstis: I will get into that.

Mr. Hoewing: Ok.

Mr. Paukstis: So our recent projects is we built a 24 townhouse community in Burtonsville that was completed in 2008. The land was donated to Habitat by

Artery Group it was 3 acres, we agreed to build 2 buildings, 24 townhouses, they were 3 bedroom, 2.5 bath townhouses, 3 levels, we started that project in 2006 we completed it in 2008 and it is fully occupied, all the original owners are there, we created a homeowners association, --- sat on the board the first year and then we transitioned off the board and the homeowners transitioned on the board. We've helped fund their reserve fund, when I got off the board they had a \$25,000.00 reserve fund so we consider that a very successful larger project for Habitat. Most recently we have completed 13 rehab of foreclosures in Silver Spring, so these were vacant foreclosed homes that went back to the lender and we negotiated with the lender to purchase these homes with the help of the Department of Housing and Community Affairs, to rehabilitate them and then resell them to families that qualify for our program. So these 13 vacant foreclosed homes they are older homes that were built in the 50's and kind of distressed, they needed a lot of work, they needed insulation, they needed new windows, new kitchens, new bathrooms, so that is what we did, we went into the home and we used the volunteers so we could do demo, that really reduces our cost and then it takes us about 3 to 6 months to rehabilitate a home and then sell it so initially it is deeded to Habitat so we own the home while we are working on it and then we go to settlement with the qualified Habitat homeowner. And this is a photo of the Burtonsville project with 2 buildings so there are 12 back to back townhouses in 2 buildings, completed in 2008 so current and future projects, we are currently working on 2 more vacant foreclosures right now, one is in Silver Spring, one is in Gaithersburg and we are scheduled to close on the third one this week. We are about to acquire 3 townhouses in Clarksburg, these were originally destined to be empty --- units and the builder Craftmark Homes, Ken Long is on our board, is selling these homes to us at a deep discount so that we could place a family in these homes. We have a grant from the Maryland Department of Energy for \$100,000.00 to do 30 weatherization programs, this is where we go into a family that is a low income family and we weatherize the home make it more energy efficient so we hope to do 30 of those by the end of next February and then there is another round of grant money that will follow. We applied for some grants next year to do 4 more rehabs of foreclosures, vacant foreclosures as they come on the market and then the project that we want to talk about tonight is the 17 townhouses here in your community and then following that we have a sales contract for 3 acres of land on Emory Grove Road in Gaithersburg to build the same kind of a product, 19 townhouses in 3 buildings and that is going we petitioned the City of Gaithersburg to get that property annexed into the city because they have agreed to give us the density we need to build 19. So the highlights of this program is that 17 lots on 2.1 acres, you know the location on Fisher Avenue right down the road. The seller is Franklin Jamison of Jamison Real Estate, we are represented by Robbie Brewer of Lerch, Early and Brewer on a pro bono basis, Robbie does a lot of our legal work pro bono. The sales contract was signed on September 7 so we are in our review period right now, the preliminary budget is 3.4 million dollars that includes the land, the acquisition of the land, we are proposing 17 mixed income townhouses from 30 to 80% of area median income. The house plans are being donated by Craftmark Homes, we have some renderings we will show you, we do have public sewer and water, which we are grateful for. The lots are to be permit

ready when we acquire the property and the settlement is scheduled for December 15th. So here is the budget that was the preliminary budget the cost of the land is a million one, you can see the settlement cost, site development, engineering and stormwater management I had several professional organizations look at my costs to make sure we were on track and that we had enough money in there about \$50,000.00 in the contingency in there but also folks like Elm Street Development and Craftmark Homes helped me put the budget together and make sure I had everything covered. Soft costs should be taxes, permit plans and fees \$130,000.00, that might be more than we need but there is a cushion in there and building construction cost and again we are the general contractor so yes we use volunteers for a lot of our work but anything that needs an inspection we would hire an electrician and a plumber, HVAC, anything that needs an inspection we hire professionals. So a million seven and there is \$100,000.00 of contingency in those numbers that is how we get to 3.4, how we finance the project well we get a bank loan, we have an application in to a bank currently, we would apply for new market tax credits of \$270,000.00 and then the rest of it would come from grants, discounts, gifts in kind, and sponsorships. I will give you some examples briefly, we do write for grants both to the government and private foundations and we have been quite successful with that. We are able because we are a non-profit to get discounts on a lot of the work that is being done, the gifts in kind is through Habitat International, a few examples of that is all of the paint is donated by Valspar, all of the insulation is donated by the Dow Corporation and by the way we make these units energy efficient that would be rated energy efficient and all of the appliances particularly the stove and refrigerators are donated by Whirlpool for every unit built in the county, about a 25 million dollar commitment from Whirlpool so we do get a lot of gifts in kind and then we get house sponsorships generally from businesses and corporations and faith groups and that is how we fund it. So 17 units our average cost would be about \$201,000.00. Here is the concept plan for the project, it would be in 3 buildings and go to the next slide, here is a rendering of the front of the buildings and again these are plans that are being donated by Craftmark Homes, this is the Glenmont which is you can see 3 levels, they are garage units, living space on the 2nd and 3rd floor, if you go to the next slide this is the ground floor with the garage unit and there is some space there for a rec room, I think the livable space is around 1800 square feet excluding the garage, the 2nd floor is the kitchen, breakfast, dining room and living room and then the top floor are 3 bedrooms and they are 2/5 baths, with an option for a powder room on the ground floor. So the sales of the units would be 8 units to be sold for \$216,000.00 that would be the 30 to 50% of AMI and then 9 units would be sold for 50 to 80% of AMI it would be sold at \$295,000.00. The homes would be sold to qualified owners and I will go through the criteria in a minute but it's a 30 year no interest loan, which is a --- of habitat so anywhere in the country or the world Habitat does not charge interest on the loan, we service the loan, we are the bank, families provide a 1% down payment generally low income families don't have cash for settlement costs, we allow them to roll that into the mortgage, we have an equity sharing plan over the life of the mortgage, I said earlier that 55 of our 56 homeowners have not resold their home they still own it and that is because they gain equity over the life of the mortgage so in the first 2

years they don't have any equity in the property if they were to leave for whatever reason we would place another family in that home. In year 3 they start gaining equity at 5% a year, so 5, 10, 15, 20 it is gradually, so as their equity goes up Habitat's equity goes down, year 22 they have 100% equity. They also must perform 200 to 500 hours of sweat equity, actually help build the home and we track those hours. So the process is that we would have information sessions and we would have information sessions up county up this way, what we would like to do is partner with the churches in the community to get the word out and hopefully you can help us get the word out because we are going to be building in the community and we have information sessions and we usually accommodate 40 families at a time and we give them a 2 hour presentation of this program. This is not a handout this is a partnership program and there is participation. So the first thing is demonstrate a need for housing, so we are trying to get people out of substandard living conditions and what we see a lot in this county is, when we make home visits which we do, are crowded conditions, a family living in one room or infestation or mold or those kinds of things, substandard living conditions, on top of that a lot of the families are --- so you may have folks that work in your community that may not be able to live in your community, they may be living in Frederick for example or another community where it is more affordable, so we are trying to get folks out of substandard living conditions and help them have an affordable mortgage, so they must be a willing partner that is the sweat equity, they have to have the ability to pay a mortgage, so we do credit checks, we do background checks, we check their not so much their credit score but their debt to income ratio and most of our families have very low debt to income ratio, so we check their minimum, maximum income they have to qualify and we do a criminal background check for anyone 18 and over. They must attend our workshops before they move in, so we have workshops for budget and financing, minor home repairs and these are all first time homeowners so it is a big responsibility to own a home, we want to make sure they are going to be successful, they have a partnership program when they move in their home, a volunteer will partner with that family to make sure they are settling in properly and taking care of the home. They must live or work in the county a minimum of one year, they must be a legal citizen of the U.S. We are in the community a lot building relationships I said we have 2000 volunteers we have a lot of support from business, faith groups and local government, so these are some of the folks we connect with we are out in the community a lot because we are in the Builder's Association, we get good media coverage so we are out there trying to improve the strength of our communities. Fundraising we have a database of folks who support us, we do direct mail campaigns, we also have events, we get a lot of in kind donations of materials, not only materials but services, legal services, closing services, a lot of in kind donations, grants from government and private foundations, we do write for grants, sponsorships to business and corporations, we have a team build concept so for example the local banks Sandy Spring Bank, Eagle Bank, folks like that or other businesses will come out to our site for a day and they may bring 15 or 20 people out and will provide lunch and a t-shirt, take their photo, they have a great time and they make a contribution to Habitat and the banks get to see our --- they like that. Estate Planning endowments we've benefitted by that, the

Restore will actually do about a half a million dollars in sales this year, we will net about 150 which contributes a lot to our overhead and we do 2 special events, we do a golf event in the spring at Whiskey Creek if you are golfers you know that is a great golf course and we are doing a breakfast October 29 at the Marriott in Pooksville, get about 300 folks out to our breakfast and it is a fundraiser for us. These are some of the sponsors that help us out on a regular basis and we are very blessed to have their support. And I think that is it unless you have any questions.

Mr. Kuhlman: So what are you looking for tonight?

Mr. Paukstis: Well we came to introduce ourselves. We want to make sure that if we come into your community that you want us here. You know we wouldn't want to come in without introducing ourselves and letting you know what we do, how we do it and what our intentions are. We are hoping that we will not only and the big thing here is that we are not going to advertise in Silver Spring or Takoma Park to come up to Poolesville, we want to draw from residents that are either living or working in your community, so that we can provide decent simple housing. These homes by the way they don't have any upgrades, we don't put granite countertops or anything like that in there, they are one color paint, that kind of thing, but they are really well built, they will be very energy efficient and we will adhere to all building codes and we basically want to work with you in making this happen.

Mr. Kuhlman: Any questions?

Mr. Brown: I have a couple. First of all I want to say I am a big supporter and thanks for coming up and making the presentation. Just for clarity purposes for everybody that is not only listening but will end up reading our minutes as well, I want to ask a couple questions. How long do you guys, I take it you administrate who is living in the house for the length of the mortgage for the entire, where does it end, your participation in who is living in the houses?

Mr. Paukstis: Well it ends when they finish paying their mortgage.

Mr. Brown: Right.

Mr. Paukstis: And they can sell it on the open market.

Mr. Brown: They can sell it though on the open market. So as soon as they own it and they sell it then you lose your regulatory powers of that house.

Mr. Paukstis: Right. There is a Homeowner's Association.

Mr. Brown: Yeah I understand that ok. And then in terms of a criminal background check I heard you say that and I did have one question about that. Is that all family members everybody that is moving in initially.

Mr. Paukstis: Anyone that is 18 and over.

Mr. Brown: How much time and effort is put into monitoring once people move in how many people actually live in the houses?

Mr. Paukstis: Well first of all it has to be primary residence, they can't sublet it or rent it that is required. But we go by whatever the Code is, so if the Code says you can only have 6 members then that is the max they can have there.

Mr. Brown: And that is monitored by I guess Code Enforcement on our end.

Mr. Paukstis: That would have to be monitored by the Homeowner yeah Code Enforcement and the Homeowner's Association.

Mr. Brown: Ok and then last you kind of answered this question but how much real weight is placed on trying to find people in the up county that fit the profile to move

into the houses, you said you are not advertising in Silver Spring or south county but...

Mr. Paukstis: We are really hoping that we can come into this community and work with community organizations and faith groups to draw people in to hear our story and to apply that is what we are hoping for. We really don't want to bring people in from other communities just doesn't make any sense.

Mr. Brown: Yeah it just doesn't add up. There is plenty of faith groups and I am sure you will get plenty of support for that around here. So that is all I had.

Mr. Kuhlman: Jerry any questions?

Mr. Klobukowski: Yeah I have got a couple but I will let other people go ahead.

Mr. Kuhlman: Lori or Link?

Mr. Hoewing: No.

Mr. Kuhlman: Looking over your prospectus on your budget and financing are you all asking tonight going to be asking for considerations of reductions in fees or whatever because based on the figures that I am looking at you evidently plan on it or intend to because your soft cost appear way light.

Mr. Paukstis: We know we don't get any consideration for the fee. We pay normal permit fees is that your question, we pay normal permit fees.

Mr. Kuhlman: Ok because there is an impact fee in Town of about...

Mr. Paukstis: Yeah we don't generally pay impact fees in the County.

Mr. Kuhlman: Well so you are asking for them to be waived, is that what I understand?

Mr. Paukstis: That would be appreciated.

Speaker: Would that be the use...

Mr. Kuhlman: I can't hear you Sir.

Speaker: Would that be the...

Mr. Klobukowski: Sir could you come to the microphone and identify yourself.

Mr. Hetton: My name is Jeff Hetton I am the Construction Manager and typically with impact fees, this has been our experience in Montgomery County as we apply for houses especially with Burtonsville the MPDU's do not come with...

Mr. Kuhlman: In the County. But we have our own impact fee in Town.

Mr. Hetton: Ok.

Mr. Kuhlman: And we don't have any moderately priced dwelling unit regulation laws or anything. So it would be a formal request of the Town to forego the impact fees is what I understand.

Mr. Klobukowski: Which would total how much on our...

Mr. Kuhlman: 170 some thousand dollars. I think it is about 11 grand right now.

Mr. Yost: Yeah per unit.

Mr. Kuhlman: 10 or 11 thousand per unit times 17.

Mr. Brown: Eddie give them an explanation of what the impact fees go, what they, why localized impact fees are a part of our mix.

Mr. Kuhlman: We have an impact fee that we put in back in 92 we started it, its made up of four costs, the parks, the water, the sewer and public facilities and for example this building here we collected impact fees for quite a few years, it was a large chunk of what paid for it. We've had to put in an expansion at that treatment plant, we've had to put in extra wells to prepare the infrastructure to be ready to

have these homes built. We've approved 410 homes within the past couple years, so all that money that we put out comes back to us through the impact fees. All right Jerry you said you had a couple questions?

Mr. Klobukowski: Yeah I guess my one of the questions was limited number of people in the home, you said they can't be sublet right ok and so if I understand some families are large etc., but I was wondering is there a maximum that you even impose.

Mr. Paukstis: For a 3 bedroom, 2.5 bath it would be 6.

Mr. Klobukowski: 6 and is that in the contract.

Mr. Paukstis: Yes.

Mr. Klobukowski: Ok and I also have the concern \$170,000.00 with respect to 17 units. We are pretty fiscally conservative and we have a surplus and that is for a reason because we are fiscally conservative and I understand I think it is a worthy thing you are doing, however, we are not the County and quite frankly if you look at the County finances versus ours I think that says a lot.

Mr. Kuhlman: All right any further questions or comments? All right we have a Resolution 008-10 I guess prepared by them Wade.

Mr. Yost: Yes.

Mr. Kuhlman: And you were hoping to get that signed which basically is saying that we support, I'll read it, "Whereas Rebuilding Together Montgomery County a non-profit organization proposes to undertake the project described above, and whereas Rebuilding Together Montgomery County a non-profit organization has applied to the Department of Housing and Community Development of the State of Maryland for approval of the project and an allocation of tax credits for business entities and individuals that contribute to the project under the departments Community Investment Tax Credit Program and whereas the Commissioners of Poolesville support the project, now therefore be it resolved that the Commissioners of Poolesville hereby express support of the project as described above. Be it further resolved the Commissioners of Poolesville that this Resolution shall take effect immediately upon adoption" and this is spelling out the construction of 17 townhouses at the property that they have under contract.

Mr. Klobukowski: Where is that at?

Mr. Kuhlman: The top paragraph subject.

Mr. Klobukowski: Ok that is it all right but this is not Rebuilding Together Montgomery correct so that has to be changed and then I am not sure what is the relevance of the email and letter attached, it seems like there is a disconnect or is there some sort of tax credit that Rebuilding Montgomery is going to be able to get you in order to help do this project.

Mr. Paukstis: We are not connected with Rebuilding.

Mr. Hoewing: When did you actually want to start building?

Mr. Paukstis: Well we settle on the 15th of December and take ownership of the property, we will do some pre construction work, grading and then by spring depending on how long it takes to get our permits assuming we get our permits, April or May we would start building. I am working on a production schedule right now we would probably finish the project (inaudible).

Mr. Hoewing: I mean Jerry is right we are fiscally conservative town on the other hand my own children can't afford houses here, so I do think affordable housing is a very good idea, I am not asking them to be in the house by the way, so I certainly think we ought to think seriously about what we can do to help, I don't know yet what that is but I do think we should seriously look at it.

Ms. Gruber: I'd like to figure out a little bit more on the Resolution, it's not just a different name it has a full letter request from a different organization.

Mr. Kuhlman: It has a what Lori?

Ms. Gruber: There is a letter in here from a completely separate organization asking for this Resolution.

Mr. Kuhlman: I'm confused because the email says that this Susan Alfield submitted the Resolution.

Ms. Gruber: For Rebuilding Together Montgomery County, a credit program, I don't think it has anything...

Mr. Paukstis: It is a different organization than us.

Mr. Klobukowski: That was my point.

Mr. Kuhlman: Ok. So they aren't here tonight.

Mr. Hoewing: Well they don't usually build new houses. So this is not the kind of project they would do anyway.

Mr. Yost: Well we could introduce the Resolution and discuss it later so I will go ahead and find out more about this.

Mr. Kuhlman: Well I guess the short of it is, I mean I have been in real estate since 1986, I have sold quite a few MPDU's year ago, I applaud affordable housing, but the question is and I don't think there is a Commissioner up here that would disagree with that statement, but I guess to get to the crux of the matter is whether we are willing to waive the impact fee and whether anybody is willing to discuss that tonight, give indications or make an ultimate decision.

Mr. Hoewing: Well part of it depends on what the impact is on other projects the Town has going forward and I don't think I have any idea on that yet if we did waive the fees, I mean what would it affect.

Mr. Kuhlman: What would the waiving of the impact fees...

Mr. Hoewing: What other project do we want to fund with it. I mean a certain percentage could --- the types of projects going forth, so we wouldn't know anyway unless we actually ran the numbers right?

Mr. Yost: Well the majority goes to pay debt service for the loans we took out for the projects.

Mr. Klobukowski: Yeah I thought that was the part of it, the water and sewer and all that stuff was supposed to be paid back that we so graciously went out and took the loans for.

Mr. Kuhlman: Yeah the I&I loan.

Mr. Klobukowski: Whether it is 1% or not I don't care, we took those loans, we are paying on the principal and interest on that and its like and eventually the piper comes to roost and just because you have a full checkbook doesn't mean all of a sudden you have the right to go out and spend it and its not like \$17,000.00 or \$5,000.00 its \$170,000.00 and more and we are approaching something we have the publics trust, we also have the responsibility to make sure we are good husbands of

the money that we receive and \$170,000.00 is not a small chunk of change, and just to argue we have no project now is basically passing the argument on and the bill on to someone else. I think you really need to seriously consider what you are really saying and I think number one the public our residents need to understand that.

Mr. Kuhlman: Link?

Mr. Hoewing: Have we waived the fees for any other projects in the past?

Mr. Kuhlman: We waived it for the school and the expansion up at St. Peters and the construction of the Catholic Church.

Mr. Hoewing: And how much was the school for example?

Mr. Yost: The school was \$25,000.00.

Mr. Hoewing: Ok. And what was the rationale in the case of the churches. Was I here then I can't remember that.

Mr. Kuhlman: I don't think, you may have been on it for the Catholic Church and St. Peters too, their expansion had an impact fee to it when they built the Hostler Home and did all that work and the Commission at that time felt it served the residents of the town, was a benefit, supplied a worship space and gathering space for the greater community and we waived it. The school we waived because we wanted the school built and Mike Subin was making the argument that the budget wasn't there unless he got some concessions.

Mr. Hoewing: I remember that one yeah.

Mr. Kuhlman: You weren't around for that one.

Mr. Hoewing: But I remember the debate.

Mr. Kuhlman: You were on the other side, you were on the PTA side then.

Mr. Hoewing: It would help too I frankly don't know this but if you had some idea of how many families really would be able to use this kind of program in this area, I mean I am sure Wade there are a lot of families, I just don't know what the number are, it would really help to get a sense too in Poolesville.

Ms. Gruber: How did you choose Poolesville, because of the land availability?

Mr. Paukstis: Because the land was available at a price we could afford. But the process for selecting families is a long process. They come to information sessions, if they think they can qualify we give them an application, they have to get it back within a certain time and we have a committee that reviews their applications, it can take 6 months before we will select the family so we are very careful about the families we select but it does take time to do that. So if we start doing information sessions the end of this year we might not have families selected until late spring because --- got to get them out and start doing the sweat equity so the timing of everything is (inaudible) we don't do it in a couple weeks, it takes months.

Ms. Gruber: No it is obvious you put a lot of effort into selecting families that are willing to take on that responsibility.

Mr. Klobukowski: Well I have a question because I thought that these projects they had some sort of an agreement that it wasn't sold at market value that there was some point less than market value to get other sort of roll the property into other low income families and what you are saying is this person will be able to get the home, after he pays it, I understand he is paying the fee and everything, zero interest, but he is paying all right but there is no perpetuation of another family coming in and helping boost that family up. So it is like a 1 time shot.

Mr. Paukstis: Yeah but they have got to wait 22 years before they have full equity. They don't have full equity for 22 years.

Mr. Klobukowski: I can reflect on my grandmother and grandfather too.

Mr. Kuhlman: So 8 years down the road Jerry a buyer if another one of these properties wants to put it on the market and you want to be the buyer for example, you are dealing with the seller and with these people.

Mr. Klobukowski: I understand that.

Mr. Kuhlman: Ok. Because they have an equitable interest in it.

Mr. Klobukowski: I understand that.

Mr. Brown: So it sounds like there is 2 issues here one is there a beyond the impact fee situation is there support amongst the Commissioners for the project in general and then is that support hinging on exactly what the impact fee will be and is there a possibility of a reduction of impact fees to accommodate.

Mr. Kuhlman: Well the way I see it Jim they don't need our support to build this. If they are going to pay all the fees and everything I mean these townhouses are approved on the site plan and everything has been spelled out, they don't need our blessing to do anything if they are going to pay 100% of the cost. I am just sitting here thinking myself and I don't know how to put this where it might not sound wrong but I've known the seller for decades and I've known his family for decades and I can't help but feel that at some point during your negotiations they made you aware of the Town having an impact fee and the approximate dollar amount. Now I am wondering when it was your intent to address that you needed us to waive that fee. I mean we went through a nice presentation tonight, when you hit your financial sheet and put out soft costs I knew darn good and well you didn't have that in your plan and I'm wondering when had you intended to make it aware that you didn't think you should have to pay the impact fees?

Mr. Paukstis: I wasn't aware that you had separate impact fees in Poolesville. That was never brought to my attention.

Mr. Kuhlman: Ok.

Mr. Brown: Is your organization prepared to move forward with an impact fee?

Mr. Paukstis: We will have to go back and look at the numbers as you can see it is a pretty tight budget and there is no profit in there.

Mr. Brown: Right I understand it's at cost.

Mr. Paukstis: So I will have to go back and look at the numbers and take it to the Board because I report to the Board of Directors so they have the final decision.

Mr. Kuhlman: If I remember correctly in the years past when we did waive it for the schools and the two churches it wasn't done on a one night deal, we made it out so that we could hear comments, my suggestion at this point would be that we have the press sitting here there will be a story about it in the paper, our next meeting will be on the 18th I would suggest that we deal with it at that point and I would strongly suggest you and your crew to look at find out exactly what the fee is and look at it in your prospectus and see how much of it you can bear if any and then let Wade know hopefully you can pay it all, you know what the deal is from your side and we will hear comments from the citizens and hopefully come to a decision.

Mr. Klobukowski: If the owner is going to get and this is like I am sort of being a hard guy here but there is various --- that you can do that we would probably except

to sort of --- our side and your side, as long as it was hard tasked, liked 50% down, 50% upon sale, I think maybe some people would agree to something like that. The point being is we would get our money back.

Mr. Kuhlman: Wade you had a comment.

Mr. Klobukowski: I mean it is not like I think I would like to see not just a complete you know you pay the fee period.

Mr. Kuhlman: Wade you had something?

Mr. Yost: Just a full disclosure there are 2 other fees to make sure you are aware of, one is a reforestation fee in lieu and one is a parkland dedication fee in lieu so I don't know if you know about those but I can give you those numbers if you need them.

Mr. Paukstis: Yeah.

Mr. Kuhlman: So why don't you get somebody to hook up with him and find out what all your fees would be on this project and like I said we have the press that is in the audience tonight I am sure there will be an article about this and you can hook up with Wade and we can put you back on the agenda at the next meeting all right Sir.

Mr. Klobukowski: If you could get the County to give us a new high school that would probably help out a lot in our thinking as well. I mean they give you free amenities so they've only wanted it for the last 30 years.

Mr. Kuhlman: All right lets get real.

Mr. Klobukowski: I am real.

Mr. Brown: Thank you for coming.

Committee Reports

Mr. Kuhlman: All right that concludes our new business, we have no old business, Committee Reports, Planning Commission?

Mr. Coakley: We meet next Wednesday.

Mr. Kuhlman: All right Parks Board?

Mr. Brown: Parks Board we meet this Wednesday. We are actually meeting at Stevens Park to do a tour at 7 pm.

Mr. Kuhlman: All right CEDC?

Ms. Gruber: I'm sorry.

Mr. Kuhlman: Wake up.

Ms. Gruber: My mind is elsewhere. I will have to report later at the next meeting.

Mr. Kuhlman: Ok.

Town Manager's Report

Mr. Kuhlman: Town Manager?

Mr. Yost: We have received 3 applications for the 2 positions for office seat for Commissioner. That would be Jim Brown, Chuck Stump, and Jennifer Kasten. We have a race.

Mr. Klobukowski: Who are the three again I apologize.

Mr. Yost: Some guy named Jim Brown.

Mr. Klobukowski: Yeah Jim Brown ok yeah.

Mr. Yost: Chuck Stump and Jennifer Kasten.

Mr. Brown: We have a question do we do a criminal background check again or not if it has already been done once.

Mr. Yost: We are running it as we speak.

Mr. Brown: Really.

Mr. Kuhlman: Yeah.

Mr. Hoewing: You may violate those speed camera a lot.

Mr. Brown: I use other people's cars when I do that.

Mr. Klobukowski: I was thinking of replacing my license plate with Vote for Jim as I go through.

Mr. Kuhlman: Ok moving on.

Mr. Yost: Lets see we had a good couple days of rain there we were up over 5 inches of rain. The plant did spike up about 1.9 million, we were typically running around 4 or 450 but it did drop down to 1.4 the next day and by Saturday it was down to 642,000 gallons per day so it was a real spiky episode more like an I&I inflow and infiltration it was more of an inflow we were actually out Friday afternoon and Thursday afternoon pulling manholes had T.V. cameras out, had a flow monitoring going and we saw a lot of manholes in Seneca Chase not that old of a subdivision that were leaking really bad around where the pipes come into the manholes themselves. We climbed down in a couple of them, have some good pictures that will be part of our report that John Strong and I are putting together. But it was kind of disturbing to see some newer infrastructure, newer problems developing.

Mr. Klobukowski: We have a record now, I apologize for interrupting but we have a record of the manhole repair that we do at each location?

Mr. Yost: Oh yeah.

Mr. Klobukowski: Ok so I mean had some of these been repaired before?

Mr. Yost: We had not done anything in Seneca Chase.

Mr. Klobukowski: Can we correlate anything with respect to the construction and type of manhole versus longevity or maybe I am wondering about if we ever had to replace some of this stuff that we have an idea of who built it, how they built it.

Mr. Yost: We need to do some more investigative work before, we just found those on Thursday afternoon so we don't know yet, if the concrete is going bad, is it something --- was it a construction defect we don't know yet.

Mr. Hoewing: How did you know to check those particular manholes did you see some evidence above the manholes or something?

Mr. Klobukowski: At the pump stations right.

Mr. Hoewing: I know the area but how did you know the manholes?

Mr. Yost: Because we physically just saw it, we were putting the flow meter devices in.

Mr. Hoewing: Oh ok so you put them in the manhole.

Mr. Yost: (Inaudible) was out there with us Thursday afternoon and he was able to see some of them.

Mr. Hoewing: This is where the pipes are actually coming into the manhole casing.

Mr. Yost: Yep so it is shooting around you see part of the gasket actually where the concrete has crumbled.

Mr. Hoewing: So how old is that infrastructure?

Mr. Yost: About 20 years old.

Mr. Hoewing: Wow is it brick under the mat around it.

Mr. Yost: All concrete.

Mr. Hoewing: It's all concrete wow.

Mr. Kuhlman: With rubber gaskets between the sections.

Mr. Klobukowski: I'm sorry would you continue, you did Seneca Chase and where else?

Mr. Yost: We did some TV'ing over in Westerly, we had flow monitors set up in parts of Wesmond. We also did some TV'ing of the laterals in certain areas of Wesmond also.

Mr. Klobukowski: So basically we are seeing good results based on the I&I in Wesmond I would assume.

Mr. Yost: We saw some defects in that workmanship also, in some of the tie ins in the laterals. Where the rubber boot actually is called a frontco attaches from the PVC we installed to the galvanized pipe that goes to the house itself, there was some leakage in some of those. So we are still out TV'ing trying to quantify how much that was actually leaking. Like I said we are working on a whole report.

Mr. Hoewing: This was when we had the 4.5 inch downpour then?

Mr. Yost: Yep.

Mr. Klobukowski: When you say manholes you are talking sewer or stormwater.

Mr. Yost: Sewer.

Mr. Klobukowski: Sewer ok.

Mr. Kuhlman: All right anything else?

Mr. Yost: No that is it on that.

Mr. Kuhlman: All right.

Ms. Klobukowski: When do you think you will have a...

Mr. Yost: We are hoping for November.

Mr. Klobukowski: Ok thank you. I apologize.

Ms. Gruber: Can I come back on the CEDC? I am sorry I am still thinking Habitat for Humanity. Very quickly the Spring Fest Committee is going to be visiting the Kentlands Festival to get a better idea of how they run. There is going to be a WUMCO Fundraising Walk, the CEDC is going to be assisting in, it is going to be the day before Halloween, it looks like it is really becoming a neat little festival, they are doing also gift cards from local businesses as raffles or prizes. Also discussed the Holiday Lighting Ceremony, which they are getting together and hopefully going to match last year's attendance. And that is about it.

Citizen Forum

Mr. Kuhlman: All right, thank you. Citizen forum anybody have anything? Seeing no hands I entertain a motion to adjourn to Executive Session.

Adjournment

Mr. Hoewing: Move we adjourn to Executive Session as provided for by the Annotated Code of Maryland, State Government Article: Section 10-508(a)1(i) to discuss an appointment to the CEDC.

Mr. Kuhlman: Is there a second?

Mr. Brown: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: We are adjourned to Executive Session.

