

**COMMISSIONERS OF POOLESVILLE
MEETING OF MAY 3, 2010**

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

Call to Order

Mr. Kuhlman: Good evening ladies and gentleman we will call the May 3, 2010 Commissioners Meeting to order. For the record all Commissioners are present as well as Town Manager, Wade Yost. The first agenda item will be the Pledge of Allegiance 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: All right thank you very much. Tonight we are pleased that we have our Delegation from Annapolis here with us this evening to give a wrap up of the Session in Annapolis that wasn't pretty this year but we are honored we have four Delegates starting with out Senator Rob Garagiola, we have Brian Feldman, Delegate who is Chair of the Montgomery County Delegation, Kathleen Dumais, Delegate who is the Parliamentarian for the House, and Delegate Craig Rice, these four people do assist the Town quite frequently and they are very beneficial and I think we have a pretty good relationship with them and I thank them, they are willing to come up and give us this wrap up every year, so with that I would like to ask for a round of applause and then I will turn it over to the Senator.

Sen. Garagiola: I am Senator Rob Garagiola and I think what we will do is I will speak for a few minutes and then Delegate Feldman and Delegate Dumais and Delegate Rice and just give a quick intro, some of the things that we worked on a little bit of the news out of Annapolis and then after that open it up for a few minutes time permitting for some Q&A and we can answer any question that maybe we didn't get to address. I have been in the State Senate now for 8 years as have Delegate Dumais and Delegate Feldman, and Craig Rice joined us in 2006. Our district goes all the way from Dickerson to Hyattstown and Clarksburg, Germantown and all along the Potomac River west of Rockville and Gaithersburg all the way down to Potomac so it is a large district, the largest district in Montgomery County covering a lot of area. You mentioned it was a challenging Session early on, we actually have done a lot of belt tightening this last year, there are no new taxes or fees that are going up as a result of this last General Assembly Session but there was a lot of belt tightening. We did balance our budget this year which we are required to do by our Constitution, we maintained personal investment and education with the focus 8 to 12 education as well as higher education, and while that belt tightening went on to the tune of about 2 billion dollars out of about a 13 billion dollar General Fund, about 2 billion dollars in belt tightening, I am happy to say that

Montgomery County as a whole and that is one of the things we focused on, you know how much in addition to a lot of policy issues to deal with how much money can we try to bring back to Montgomery County and although the pie has shrunk statewide among the 24 jurisdictions and state spending, Montgomery County is actually getting this period begins July 1 a little more than 10% increase in funding compared to the current fiscal year so beginning July 1 to the following June a little more than 10% increase in aid to local government has been directed to the County government some of the functions that it provides for residents, traffic counts, by comparison most jurisdictions averaged around a 3% increase and there were many jurisdictions in the state, many in the County and State that --- as being a net reduction in funds that go to the jurisdiction so all in all even though the pie is shrinking we brought more dollars back to Montgomery County. A couple issues that I focused on this year, I am on a committee that deals with energy issues, also I am on a committee that deals with health care issues and while there are a lot focus and debate on the federal level, we made some changes that the state level on the health care funds, to limit how much goes in if you have a physician, how much a physician can charge out of network, like any profession there are some bad apples out there and we heard from a number of constituents who were being gauged potentially from physician over-billing certain services that were provided, this was a situation where people were going into an emergency room because of a car accident or some other health care issue that came up and they were getting huge bills from physicians. We passed legislation this year that went to the (inaudible) on May 20th by the Governor to limit those out of network charges that may have been charged. The other thing is that we have a I would say a --- of prices and making sure we have adequate access to physicians, because there are physicians here who are going to provide services but not going to get care and right now in Maryland about we are about the bottom 25% in physician reimbursement and that is not reimbursement that the public, the public programs, that is from reimbursement from the private insurance companies, they managed to suppress what the pay physicians and many are coming out of medical school but choosing not to practice in Maryland because of the inadequate reimbursement that these insurance companies are paying Maryland relative to other states, we are in the bottom 25% compared to other states, so this legislation also --- that situation by requiring a bump up in physician payments for time as well, the goal being is that physicians are going to get paid more in the private sector and we are going to limit the amount of the again not the patient gauging magnitude as far as what physicians in certain circumstances can charge patients and I will talk more about that legislation as well. Another key legislation and I am very active in renewable energy and it is not to the detriment of other sources of energy but it is a big proponent of solar, what has been a big debate in this Town recently about wind energy, geothermal, solar water heater, legislation removing metals for fuel energy is something that is not you get confused when you hear about it is automobiles, we also will very soon will be able to get energy from fuel stems I mean they are little thin silicone wafers that are stacked and then grouped together from a --- to a minivan can provide electricity for commercial buildings, can provide electricity to the Town Hall and once this is charging and running it runs continuously, it runs through the night when it is dark

unlike solar, it runs when there is no wind so this is such a good compliment to some of the other things that we are doing, on the solar energy front we ramped up certain incentives for solar energy and --- been doing it is bringing down the cost for whether it is non profit, whether it is local government, whether it is homeowners, the return investment is much quicker and you can actually get between 30 and 40% of your electricity from the sun. Here in the State of Maryland when you think about solar energy, you know the southwest or other areas but 30 or 40% of your energy can be gotten by installing solar panels on rooftops. What will happen is your electric meter will run backwards so Allegheny Power is baffled but when the sun is shining your meter runs backwards you actually get a credit on your electric bill, or on rainy days or on cloudy days and what not when the meter is running forward because you are relying on Allegheny Power, you are not going to be paying out the entire, but it might be back to where it was before with sunny days because you are using the solar energy. We are going to have over the next decade the ramp up of solar energy because of this legislation and some other things that were done is going to be equivalent to natural gas power plants over the next decade so it is a pretty from solar rooftops it is a pretty significant amount and a lot of people say politicians only look like the next election and whatnot and I would say my --- on energy and a lot of other issues to deal with is really looking at 10 --- here and now doing it on transportation and I will talk about that a little bit later as well. On the energy front really need to get these type of things in place where mostly we are a tipping point when it comes to renewable energy, particularly solar but also like I mentioned before the fuel cells and the geothermal, there is a lot of exciting things that are going on that we are going to be very competitive and at least until the next decade many think solar energy is actually going to be less expensive than coal or other types of traditional energy, so this is something I have been working on really over the last 8 years it took a lot of energy effort no pun intended on legislation this year that was also on the Governor's desk so working on health care issues this year, working on energy issues and in spite of all the fiscal issues that we have been dealing with a lot of policy things got done as well. With that what I would like to do is turn it over to Brian who Chairs our --- Delegation and he can give the big picture of what is going on with respect to the County and the State and then after he goes it is Kathleen and Craig and we will do some questions and answers.

Del. Feldman: Thanks Rob. I wear a couple of different hats so starting and again I think Q&A it has always been our experience the best part of the evening so from the standpoint where and I know that Chairman who are Montgomery County Delegation, we are the largest County in the State, the largest Delegation down there and it is actually at a time as Rob pointed out when the pie is shrinking, in other words our budget this year is back in real dollars (inaudible) Montgomery County was secured by a 10% increase over last year and --- to about 75 million more dollars for Montgomery County. I would say on another (inaudible) we had an attempt by the State Board of Education the State penalized our County Board of Education to the tune of about 23.4 million dollars for not meeting what they call the --- requirement (inaudible) and it was a proposed fine of 23.4 million dollars just to get Montgomery County (inaudible) not --- with the County budget what it is, the Board of Education directly we in the Delegation put in a Bill to waive that penalty

and an added report that not only did the --- of the County was waived, we were able to get overwhelming support from other colleagues in other parts of the State on something that Montgomery County Delegation has not always been successful in doing in terms of making a case for the rest of the State but we got it done. Another Bill specifically impacting our bottom line don't forget at the State level we can --- a lot of our problems (inaudible) because we know about them. Another example was to shift the of cost of teacher pensions away from the State and to the County being the largest County hired the most teachers, paid our teachers more, the one county that would have been disproportionately hurt by that kind of shift would be Montgomery County, so there was a Bill that despite the opposition of Senator Garagiola a Bill actually passed out of the State Senate that would shift it down 50% of the cost would now go the counties, out county by 2015 7 plus million dollars, and in the House we were able to kill that again working with our Senate colleagues, Senator Garagiola, and unified and I mean tight solid unified Montgomery Delegation we were able to kill it on day 1 in the House. I would just mention we are very successful in bond billing again, we were able to get about 45 million dollars in bond bill projects back to the County again that is jobs, that is projects and another 10 million I think we are going to be able to get for school construction up over and above that. The reason I think made that point is we love coming into this building, this very building is a result of a bond bill that we put in the Delegation and got it so when we come into this building, this is the kind of thing we love to do to walk into a building and we will take the credit for helping to secure a Bill so anyway that was successful on that front. A few other things and I think again in times of tightening of belts, things we can be proud of, a AAA bond rating, ok our state budget we are only one of seven states in the United States of America that has a AAA bond rating. Again these are --- third party --- and our finances and you know what you guys are managing it --- and I think again we should be proud. The --- the number one public school system in the United States of America by Education Week and that is something to be proud of. We were able to keep tuition and furthering public universities here in the Sate of Maryland to four straight years. This year we are going to cap it at 3% but no state in the United States of America has --- tuition for four straight years, something you can be proud of, we are officially --- per capita, the wealthiest state in the United States of America is the state of Maryland. We are the most educated work force in the United States here in Montgomery County in terms of the number of PhD's and advanced degrees. The other hat I wear is a Chair for a sub-committee signing new technology. So when you talk about job creation and potentially along the 270 Corridor and the Tech world this County is well positioned for big things in the future and the final point is most of the times we do things we are going to be upsetting federal assets, federal workforce, federal assets, in the FDA Headquarters and NIH that when the economy turns when the federal stimulus dollars blowing through these federal agencies are within our region we will come out of the recession quicker and more robustly than most parts of the nation. We are here in Montgomery County the national foreclosure rate is 9.7% in the state of Maryland, we are a couple points below that here in Montgomery County and we are below 5 so it still is difficult to --- an action but here in this State, in this County I don't want to say that we don't have needs, we have a lot a lot of

challenges, but I am trying to give you some things that you should feel proud of and I think this Delegation has accomplished (inaudible). With that Madame and Sirs I am going to pass it on to whoever next, Delegate Dumais. Thank you.

Del. Dumais: Thank you all for inviting us. (Inaudible) and it is an honor to represent you in Annapolis and I know that Brian --- and the nice thing is and particularly as we approach an election year is to sort of hear things about our Delegation --- and the nice thing about us is the four of us work together very well, I think we complement each other and we like each other, which isn't something (inaudible) and that helps because it really is a matter of the way one --- is filled is we really rely on ---, so I sit on a House Judiciary Committee, Brian sits on --- matters, Craig serves on the Ways and Means Committee, Rob is on the Planning (inaudible). So we sort of cover all of these different committees, which (inaudible). In the Judiciary Committee it is really all of the legislation that I --- are by the criminal law, anything that is going to deal with going into the Courthouse and I am happy to say that this year one of the things that has passed and many of the Bills were the Governor's initiative, was a very comprehensive package on the Sex Offender Bill and in fact tomorrow there is a Bill signing and the Governor is going to sign all of those Bills that were passed and some of the things is it shows number 1 it brings Maryland into compliance with the Adam Walsh Act which is a way that sex offenders have to register, it applies to any uniform across all of the state so that for instance (inaudible). One of the issues, one of the problems is Delaware may describe a 30 year sex offender different than the way we describe a 30 year sex offender so registration across state lines if the definitions are different it is going to make the registration harder, so the Adam Walsh Act which will be enacted in all the states says here is the definition, this is tier 1, tier 2, and tier 3 and the definitions are all the same, so that will be signed into law by the Governor tomorrow. And that would require lifetime supervision of serious or key sex offenders including use of GPS monitoring. It will eliminate the initial --- of serious sex offenders and repeat sex offenders, we are also strengthening state law against child pornography and accordingly we are increasing the mandatory minimum sentence for 2nd degree sex offender and rapists from 5 to 15 years, so it was really one of the most comprehensive packages that I have seen and in addition to that we also tried to look at a more proactive --- and I think Craig will be able to talk to you about a Bill that was a Speakers Bill called the --- but a component of the --- also includes making sure that we that the victims aren't put in a position of riding on a school bus with their alleged offender, so there were a lot of things that we touched, we increased the reporting requirements and that is a Bill that I worked on because there is a mandatory reporting by law enforcement, by teachers, mental health professionals, if they know that there is abuse that has occurred or is occurring, one of the Bills that the Governor will sign tomorrow will say no matter who you are if you suspect that a child is in the presence, consistently of a sex offender and again with a --- or dating an offender at one point in time but the department didn't have the ability to do anything even if they knew about it, well now they will so again it doesn't mean that something horrible but it does mean the department will go in and look and make sure that that child is safe. Some of the other important things that I worked on this year and this I think is a very important Bill, Maryland did not

have a statutory --- form and so now we will have that. The Governor will probably sign that at the next Bill signing, it was a long time coming but now just like with your living will or your health care directives, you will probably be able to go to the website of the Attorney General and pull down a power of attorney --- with the financial institution (inaudible) unless they think that something funny is going on or someone just committed fraud they don't have to accept it, but what we --- from AARP, the big --- lawyers, the --- lawyers so many times you use that power of attorney as an estate planning tool and then maybe for your parents, I did it for my mother, I take it to the bank the bank says oh no we don't want that form we want you to use our forms so that is fine as long as my mother is still competent if in fact I have a power of attorney that is dated 6 years earlier and my mother is no longer competent to sign my only recourse would be to go and get a guardianship over her so working with an --- and I say it will be a very good estate planning tool and a consumer friendly piece of legislation that I think will be very important and finally I may have said it before when I am not in legislation I am a family lawyer so I handle divorce and (inaudible). This year I think one of the most important pieces of legislation that was passed was a revision of our child support guidelines, child support in the State of Maryland is done by a formula, that formula was based on 1988 economic data and it had not been updated since 1989, so we have now updated the formula so that I pay child support in Maryland and again as I indicated --- the --- state in the Country will be consistent with what it costs to raise a child in the State of Maryland. At the moment until this goes in effect in October, our formula is lower than West Virginia so there is something wrong and I am very happy to say we are going to make that change and I think it will be good for children. So with that said I will be happy to answer questions after Craig.

Del. Rice: All right (inaudible) and I like that I get a chance to talk about all of my hobbies. And my --- was very different when you have the ability to talk nicely and say you know what haven't they done a great job. You know Rob had mentioned that Brian and Kathleen and Rob had been here since 2002 and I came on board in 2006, it was a phenomenal experience for me because I always believed you are only as good as your teacher and being in office and sharing an office with Brian who is the Chair Delegation and has been there and his guidance and being able to align with Rob and Kathleen to guide me around in terms of advise has been a tremendous growing for me in learning how to navigate the process and so I think that there were a lot of successes that I had but I owe a lot of that to all them and that is a beautiful thing to be able to say because I can tell you right now I don't think there is any other Delegation that is in Annapolis that works as well or is as effective as we are. And I am kind of tooting my own horn but again the credit goes to them also. As Kathleen said before I serve on Ways and Means and at Ways and Means you have two things that are a primary focus, taxes and education. You already heard we didn't pass any taxes this year so that wasn't one of the things that we really had on our radar screen we are really trying to make sure that we understood that these are tough times and it is not time for us to really be messing around with our tax policy, we need to be looking at some of the more --- policy issues that make it a lot easier and make it a lot better because they don't cost any money and so to that effect we looked at education policy, we looked at a number of

things in terms of making sure that our children are safer. I had passed a Bill last year or actually in 2008 dealing with bullying and we were looking at revisiting that we have seen a lot of the highlights of what is happening in other jurisdictions I am happy to say and I am happy about (inaudible) because it means the children are safer, Massachusetts just recently had a bullying bill that was based off of our --- which is huge, any time we can make our children safer make the environment where they spend most of their time back and forth and to that effect this year (inaudible) we have seen the gangs and while people might think not in my town, it doesn't happen here, I was offered to ride along with a police officer in the gang prevention unit for Montgomery County over the summer and I was amazed, I was truly floored about what is happening right under our noses and so to that --- along with the --- Bill I was very happy to be a part of drafting this Bill that went through my committee and through my sub-committee, for standing down on and making sure that we have communication that was there that is currently being anchored between law enforcement and schools (inaudible) so that we can give them the intervention as necessary to make sure that they understand this isn't something that is going to be good for a community or for your (inaudible) I think it was really, really important that I think again don't cost us money so it is a tremendous step forward in how we --- about our community. Now one of the things that we (inaudible) and to that affect there were Bills that came in that governed air quality that I have been working with Poolesville High School on for a number of years, we have been trying to draft a different kind of way to address the air quality issue and Senator Mike Lenett and I both co-sponsored a Bill that dealt with saying that any schools that are under renovation or are currently constructed have strict air quality standards so again we want to protect our teachers and our children from all those different aspects and so unfortunately that Bill did not pass again but I keep pushing it every year making sure after our meeting here, last year it was at the Library before, talking to Poolesville High School students that said it was an issue and we took that issue and brought it to Annapolis so from that perspective it is a prime example of how citizens can make a difference and we have to listen to what our community tells us and that is what we are trying to do and I think that we have done a great job of it when it comes to keeping ourselves competitive we have done a number of different things with --- for learning, implementing that in our school systems as well as making sure that children with disabilities have specialized individual education plans so that we can get them the proper attention that they need and also get the parents engaged earlier and understanding what those (inaudible) might be, we try to support all of our folks that are who have special needs that was a huge priority of mine this year and that is why I put in the Bill that governed the mandatory funding appropriation from the Governor to say that those folks who do have disabilities would be fully funded in terms of --- from the State. Unfortunately again that Bill did not pass but it brought us to a better point of understanding where we see us as hopeful that it will continue to move forward because it is saying that these folks are important to us and they are a priority and we need to make sure that we are funding that as well. So with that I will turn it over and we will be happy to answer any questions but I just wanted to say I thank you very much for the opportunity to being able to represent you in Annapolis, it

has truly been an honor and so going forward I look forward to working with each and every one of you.

Mr. Kuhlman: Any questions from the Commissioners first? Ok the audience, Sir.

Speaker: (Inaudible) a couple of comments about (inaudible) reimbursing doctors at a higher rate and insuring them with a cap on what doctors can charge. So does that --- a policy of agreement (inaudible).

Sen. Garagiola: Great question and I probably didn't explain the Bill very well. Right now there is a balance inequity between two predominant actually one predominant health insurance carrier in the State of Maryland, there is like two big ones, the largest one has close to 70% of the market now as far as what the market is. So right now you have got certain health care that is preempted by Federal law and then you have health care with all the --- of individuals and very few large businesses under Maryland law and what this legislation did was a couple things, and I probably did a poor job explaining them, right now if you are in a PBO in other words you can go out of network and you can see physicians out of network or you can stay in network and based on their contract you are going to have a certain rate, the doctor can't bill you any more of the --- payment in full, well what is happening in Maryland and I think 35 other states right now so you go see a physician, you get in an accident or something happens to you and you end up in an emergency room for example, you are not in a position to say excuse me anesthesiologist are you in network because if you are not I am going to need somebody in network so I can get a fixed rate of what I am going to pay, or a radiologist as you are x-raying me, excuse me are you in network, there is not that opportunity present, so what will happen is those physicians or if you want to see a specialist, you have a throat issue and you have gone to your primary care doctor and they say well the very best ENT is up at Hopkins and they are out of network, maybe, maybe not you don't know and you go see that ENT specialist and if you ask in network and not in the books, they are out of network, what happens is often times those physicians will ask you information saying you --- as payment, when you assign a payment that you are going to get from the insurance company over to me the physician so we can be a lot more efficient in our healthcare system because right now what happens is if the patient is asked that question in the hospital or even before that you go in his office, the patient may sign something yes, I am going to sign this agreement saying that I want my insurance company to pay you directly the physician, well the insurance company contract in Maryland basically says that --- with what the patient wants, we are going to give the check to the patient and if it comes 30, 60 or 90 days later so when a patient gets a phone call from the anesthesiologist three weeks later and he says the bill is \$2500.00 your --- first of all I thought the insurance company was paying, you might find out no I am sorry but the insurance company hasn't paid us, then it may be three or four weeks later and well then they get a check made out to John's medication from CareFirst and they get the patient note there is a check well now (inaudible) I paid too much of my money, do I owe a doctor money, some doctors haven't contacted me yet, some have, very inefficient and a lot of time is wasted, some say potentially 20% of the healthcare costs are wasted in trying to chase down physicians to get payments from the insurance companies, so what this legislation said is if the patient chooses to give the physician payments than the patient can say

no I don't want to and the patient has that right, so that is the first thing, but I guess the other point is the bill. But the first part of that is the law will say when it becomes signed by the Governor that patient has the choice to have what you call assigned benefits, that payment so instead of coming to them, it will go directly to the doctor ok now the patient (inaudible) says I know a doctor I want to check cover the --- I can negotiate with the people, patients will have more control, and then what the insurance company came out and said, if you do this no doctor then no doctor is going to be in our networks and they are clamoring that it is because the doctor has --- to the patient three or four weeks later (inaudible) and they are out of network and they are going to balance bill because the law is that you can't ask for a additional payment once you get payments from the insurance companies, now and I can go into more detail on this but suffice to say what ends up happening at the end of the day is if a physician, the patient signs off and --- for a non qualified physician that physician the payment that they get from the insurance company is going to be enhanced payment, there will be a limit though, it is going to be enhanced payment, that enhanced payment will have to be payment in full, so --- the most if you are seeing a network physician but that is it, that is the payment you owe no more, you go out of network and you are in an --- there is going to be an enhanced payment but yes the physicians are going to get a little bump up in pay, they won't be taken to the 30th percentile, 40th percentile but it is going to bring them up a little bit, but it is only if they get the check directly to them that it is in the agreement that they are making as well, I will get that enhanced payment from the insurance company in exchange for getting the check directly and in exchange for I won't bill the patient beyond what the payment is, that is the deal that is struck in emergency situations largely so if you really are going to ask the question of the anesthesiologist now when you go to an office visit the exchange is this, up front you are going to get information if that doctor is out of network, they can balance bill you and charge you whatever they want, there is going to be an estimate of what it can be in excess of what the insurance company is going to pay and that same form (inaudible). So in that situation where you have an opportunity to make an educated decision you can say no way, hell no I am not going to pay \$2500.00 to see a specialist ENT or you might say you know what I have got throat cancer you are the best that is what I have been told I am going to pay it and I am going in with full knowledge and a full education.

Speaker: The conditions would be necessary (inaudible). Are these conditions the result of the facts that one insurance company dominates or has dominated and therefore...

Sen. Garagiola: I would say this that insurance company in particular is a not for profit but not for profits can still try to make money if they pay their executives and whatnot, I mean just the stockholders, that not for profit compared to other insurance companies in the state they have such large market shares, they can undercut the competition when they do that, they pay the doctors far less than what doctors including 8 other states and are being paid by the minority insurance company. Now this legislation may shift the balance a little bit that is the insurance company has all the leverage, the doctor has a little bit, they may shift it a little bit but in my view there needs to be a lot more fundamental changes and I passed

legislation last year trying to loosen up some of our insurance regulations certainly for small businesses in the hopes that with all the regulations that we get more insurance company, more carriers, that would be the ideal then you have more equilibrium in the market place, you don't have that, but there are 35 states that basically say the insurance companies involved and it was 26 a year ago so an increase if the patient wants to have that check go to the doctor then the patient has the right and Maryland will be the 36th state but part of that change is the other things I described.

Speaker: So Maryland does not restrict the entrance of other insurers?

Sen. Garagiola: I would say no not by law I would say it is more by function of you know if you have 2 dominant carriers the 2nd one is increasing the market share, CareFirst is increasing and the market share that they have makes it difficult for them to compete (inaudible). Sorry to take so much time.

Speaker: Senator I don't want to belabor this health care issue but on many occasions and I am speaking specifically about United Health Care, it is the insurance company dictating the kind of medical care that you get.

Sen. Garagiola: Absolutely.

Speaker: Is there any thing to address that and in my particular instance my son was hospitalized for an emergency making him pay for a private room (inaudible). Second --- the hospital weekly and problems --- or maybe --- are in United Health Care, they were oh no you won't need (inaudible) and even though the --- of Rockville is under contract with United Health Care our bill came to \$6,000.00, where does the State come in?

Sen. Garagiola: I will try to be a lot briefer. Maryland because you have got about a third of the population getting health care right now from Medicare, Medicaid and certain public health programs, Maryland has almost no regulatory we will bill Medicaid by the low income nursing homes but they are largely federal law and about another third of the population are in insurance people think insurance and they work for a large corporation or even a medium sized corporation I am talking 50 or more employees generally speaking, federal law preempts state law with respect to health benefits, so we in Maryland only have half this to deal with, about a third of --- health care problems and that is no different in just about every other state. There are things that we tried to do in Maryland and sometimes what will happen is other health plans or federal whatnot will mirror what we do in Maryland and sometimes they don't so this first challenge what we as a state can get our arms around. Now as you know the Congress passed a pretty big Bill that is going to change our health care system, not when you phase it over many years, over the 9 months we are not in session there is a number of days that are looking closely at that federal legislation and how it affects Maryland and what are the new requirements of the State is going to shift there is going to be a couple changes in state law we are going to need to be able to respond to that. My hope is that working within that paragon that we are able to try to address some of that more because it is a significant challenge and it is something that we have been wrestling with a lot longer before I got (inaudible). I am sorry to hear about your situation.

Speaker: I am sorry to hear about the --- situation too but there are appeal processes that I hope you are following and then you are once again putting

Maryland (inaudible). If you have additional questions I would be happy to answer them on your appeal.

Mr. Kuhlman: Mr. Janet.

Mr. Janet: Senator Garagiola four years ago I got a --- indicated then that small businesses and individuals moving out of Montgomery County and down to Florida and whatever we do we have to try to keep these people here. I don't see anything that is being done to keep these people, now there is an easy solution and that is what Virginia has done. This huge retirement market around Washington DC they give them a \$1500.00 tax cut and so forth and they go to Virginia, why can't Maryland do it. My second question and most important is on health care, there are over 100 million, I don't see any Senator Representatives or anybody fighting to protect the Social Security and Medicare which is the health care of 100 million of which is Maryland's population. I don't see it. Into the federal healthcare bill of a mere 1 trillion, 500 billion half of it is coming out of Social Security and Medicare, Medicare is going to, does the taxes in that federal health care bill which will impact everybody in this room that is wrong and it is not fair, they will be passing insurance companies are going to pass it all on to us. My point is we have increased Social Security for our Medicare from 45, passed in year from 45, 66, 78, 96 and now straight to 120. Why I don't see any Senator Representative anybody fighting for the hard working middle class and I am sick and tired of this picking from us who have bought and paid for that Social Security and bought and paid for that Medicare, we already doubled it, now we are going to suffer less and we are going to take money out of it and redistribute it that is not right, fair and proper and it should be and I ask again I don't see anybody which tells me that nobody cares.

Sen. Garagiola: Let me answer a few questions, a couple years ago I was a Co-Chair of the Veteran's Caucus and we passed legislation actually increasing the State income tax --- for military retirees, I mean similar to what you are talking about in Virginia so that way more retired military both civilian as well as civilian veterans, those were in service while those civilian military pay retiree pay a greater amount of that, the legislation I worked on a few years ago is exempt from our State Income Tax, we ramped that up so I am in support of the legislation each year to increase that further. I have also been supportive of legislation seeking to exempt other types of retiree pay as well so I hear what you are saying with respect to elderly population from the DOD perspective one of the things we were looking at a lot of people retire from military and at what I would say is a relatively young age, they have security clearances, they get civilian jobs, they get very good at civilian jobs and we like having (inaudible) so those are things we are working on. The Medicare and the Social Security you know I am going to be paying into it for many, many years and I am very hopeful that it is going to be there when I need it as well as my kids. Now I can tell you that I have had conversations with our US Senators and our US Representatives because that is really where the action is on those issues about that and like you I am in the middle class and I am hopeful that those programs will be around when I need them and my wife needs them and that is all I can really say on that because it is not an issue that comes before (inaudible). Thank you.

Mr. Kuhlman: All right anybody else? Mr. Pierce.

Mr. Pierce: For a number of years the legislature in Maryland has been dealing with the exemption on child abuse, giving a one year window to extend the need when claims could be filed against someone and the Arch Diocese in DC and in Baltimore have lobbied against that every year, didn't hear anything about that this year, that Bill.

Del. Dumais: It wasn't introduced this year.

Mr. Pierce: It wasn't introduced.

Del. Dumais: Generally speaking the fact that for elimination has been (inaudible) and that is what our current (inaudible). Now in the time that I have been in the legislation but I believe this was in the first term we did extend it to age 26.

Speaker: I think it was three years after like 18 potentially.

Del. Dumais: It was already (inaudible) but I think it was about to age 26 so if something happened while you were a child normally it would be till age 18 and three years from that (inaudible) up to 21 and I believe it went up to 26. But it is complicated and difficult and I don't mean to be I certainly would never defend any sexual deviant or predator or abuser.

Mr. Pierce: Right I had just heard about it the last 4 or 5 years and have contacted people with the legislature who supported that Bill and I didn't hear anything about it.

Del. Dumais: It wasn't introduced.

Mr. Pierce: It wasn't introduced this year.

Sen. Garagiola: There is a broader point since we are here (inaudible) had 2300 (inaudible) so I think that is important --- these bills what happened to this Bill or what happened to that Bill, and as Kathleen mentioned about the --- so often times off hand we won't know what the fate of the Bill is or even if the Judiciary Committee matter prior to --- so I think it is important just for the volume of bills. Most bills do not pass, just to be clear 2300 bills the Governor signs until tomorrow maybe 25% of them, most Bills do not hit the Governors desk or killing bills, the other point I just make in general about tax credits just to get in context we had a billion dollar budget shortfall this year, largely the economic downturn and our State budget on the revenue side (inaudible). That was largely the result of this ---, 80% of our expenses go to three things, education, public safety, and your health care, 80% of our state budget, so when people say that they closed a 2 billion dollar hole oh and by the way we really think we should give tax credits to on the power income look I mean you know we have to balance the budget, so the difference between us and the federal government is we cannot run a budget deficit, we are not allowed, our Constitution requires us to balance so when we are going to be big and --- and they will call us the State workers and the furloughs up to 10 days, we did all that this year, closed our budget shortfall yet a lot of people would do what you describe but in the climate of that kind of budget pie it is simply not feasible I mean that is as straight forward as I can be so just interpret some context, we threw some quantity bills out of state budget working with that stuff, it was important for people to know what we were --- with.

Mr. Pierce: I have a follow up question for you. You talked a lot about the Bill that was passed dealing with sex offenders, was there any kind of exemptions put in

there for any kind of clergy situation or for --- in church that are moving people around anything like that.

Del. Dumais: No nothing specific and the only time I think, --- assures me that the recession of the exemption is (inaudible). There is a mandatory reporting law in Maryland, so a therapist, law enforcement, teachers, medical professionals and the clergy unless it is within --- reporting they (inaudible). So there is a mandatory reporting law in Maryland we didn't make any changes to that this year. We expanded the voluntary reporting and specifically expanded it not just did you know abuse occurred or suspect abuse occurred you can actually report it to the department before concerns of the child is in the presence of a sex offender and so that will be the part that will then go in (inaudible).

Mr. Kuhlman: Mr. Barnes you had your hand up.

Mr. Barnes: Yes. Thank you all for coming out to Poolesville. My question is concerning --- and particularly the legislation that was passed that requires local elected officials to meet the State laws for financial disclosure. How does that pertain to Article 66B, can you give me (inaudible).

Speaker: I am not familiar personally with Article 66B and I am not even sure

Multiple Conversations Taking Place

Sen. Garagiola: I will say in a broad sense from my experience with government we did some real meaningful things in the Session that did not occur prior to this year. We had legislation, we had a (inaudible) in Maryland most of the work is --- but people would find it hard to go on the Internet you would see how the votes were that were for, if you wanted to go and find out how people voted in our Committee it is very difficult you couldn't get that information on the Internet you had to actually have somebody physically go to the Committee and get a hard copy of the Committee vote, we changed all that this session now online you can get not just the floor votes of the full legislature, also in the sub-committee section of Montgomery County Delegation we were out front of the rest of the legislature we opened it all up the first couple weeks of session and I think we kind of led everybody else and then after we opened it up online how we all voted for everybody to see --- it was open transparent government kind of Bill that on this particular Bill.

Del. Dumais: Number one the State Officials are required to file financial reports with the State Board of Ethics and (inaudible) sometime the State or locals are not or County or Local standards may have been less than what the State's were so everybody is the same now. The conflicts that we are talking about is if my survey in the legislature (inaudible) am I on the Board of Directors of a corporation that is going to --- and if so that may not in and of itself preclude me from serving but at least has to be up front so the world can see and it may well be in legislation that is going to possibly pertain to the Board or the company that I am sitting on the Board that I should abstain from --- so it is really the financial conflicts but there are some state legislators that were grandfathered in before my time (inaudible) they are voting or not voting on things specifically (inaudible) so that is what that bill did, just made sure that financially as well as an appointment that we are voting on or not promoting something that is going to --- to our benefit.

Sen. Garagiola: And the other broad point we have to be careful not to make it too difficult we are a citizen legislature, most of the people are doing other things the

other parts of the year, if you made it too onerous we will have nobody interested in serving because we are voting on things that generally impact us because we are living in the same community you guys are and if you say we can't vote on X, Y, Z you will have nobody down there voting and nobody running for election so you have to find the balance, in some states they have full time legislation, we are not one of them.

Del. Dumais: (Inaudible) on the floor a lot are opposed to alcohol bills --- that --- when it is an alcohol bill.

Speaker: Or teachers voting on the teacher pension bill you know things that are really direct.

Del. Dumais: (inaudible) just trying to again we really did --- time to make government work and to make sure that it follows officials to a level of ---.

Speaker: Can I ask a question concerning environment. (Inaudible) talking about getting rid of micro carbons and solar is one of the things that we would like to think about (inaudible) is there any thought or plan for that.

Sen. Garagiola: Yes in fact renewable energy does not take away from other sources, clearly --- of energy but natural gas is better than coal so if you go in that direction you will prefer that, we want to get our air cleaner, we want to get our --- clear, at the same time we couldn't just say no coal plants. As far as nuclear energy (inaudible) for the last couple years in working with Constellation Energy which (inaudible) in this country in about 30 years. (Inaudible) and the dynamic there is not so much safer it is removing those, you know every spot that has to be adhered to so we are not waiving it (inaudible) but we are moving through it as quickly as we can (inaudible) it is still very, very expensive, I would say we are probably looking at maybe 5 to 7 years out potentially getting pushed back a little further under the most expedited fashion and right now that is built into our energy plan, right now we don't get that (inaudible) and other things that are being looked at to prevent that from happening.

Del. Feldman: (Inaudible) that Rob and I served on we deal with energy policy and I think we made a lot of headway this year actually at a federal level and probably the state level.

Mr. Kuhlman: Mr. Brown do you have a question?

Mr. Brown: Actually I don't want to necessarily wrap it up but I do want to ask if everybody could just give me a quick what your hot button issue that is on your plate today and some things you are really working hard on, to let everybody else know too. So start wherever.

Del. Feldman: Well I will take a shot. I Chair a Committee that deals with economic development in technology and (inaudible). The one thing about Maryland, we have more biomedical --- in the State of Maryland on a per capita basis by far than any state in the United States of America. Johns Hopkins also is located here, NIH, and any institution --- in the nation. What that does for us is gives us a tremendous opportunity for high tech (inaudible) to be a real international leader, either job will pay twice to three times above the ---. I think that is the future in the state and I think Montgomery County for ---, that has been a real focus of mine in the legislature and I think it will be going forward.

Del. Dumais: I think if I have to put it in context of what (inaudible) and I serve on a Commission that was established by Chief Judge Bell in the Court of Appeals that is called the Maryland Active --- Commission and it is a commission that is broad based, it has got lawyers, it has got judges, it has got businessmen, it has officials and individuals that go to court for whatever reason and we are talking about how do we make sure that all citizens have access to our courts and there are several different sub-committees and particularly with the economy (inaudible) you know if you are elderly and you need access to --- or access to attorneys so that will continue to be my focus clearly based on my family law experience I work on violence issues, and health issues and divorce issues, but the absence of justice is something that I think we continue to work at and look at (inaudible). But we need to make sure that if a family is going through a struggle that there is a way for them to --- without breaking the bank and it is a real problem (inaudible).

Del. Rice: As Rob said I am the education guy so to me it is always about supporting our future and supporting our schools, we had a --- bill that would have shifted --- there, I think --- program in the state, the state is the one that contributes to our --- well there should be that rule in government which will impact Montgomery County much larger than any other jurisdiction and it is something that will be extremely detrimental to our school system, it will cost us tens of millions of dollars and we look at that, that is something that you have to remain extremely --- and fighting against throughout this upcoming session that is something, it is on, there are probably going to be a number of delegates that are not from our district, it is also making sure that our children are learning and if we have an achievement --- that basically starts to go away, you know it is not only a racial line but it is also a socioeconomic line and so from that perspective we have got to refuel and look at innovative ways in which to teach our students which means that we have to teach our teachers an innovative way to give them the flexibility they need to be able to learn new methods and give them the flexibility to --- as well. So all those kinds of things go into making sure that we have an education system that is number one right now but just saying that we are number one doesn't mean that we don't have a lot more work that needs to be done and to that effect there are a number of different pieces of legislation that we are going to be working on.

Sen. Garagiola: You might think I would talk about renewable energy or health care and actually I think we laid a good foundation on the energy front and I think it is (inaudible) but by nature of federal law that just passed we are going to be reacting a lot. But we are pivoting and started to pivot earlier this year on the transportation front and I offered legislation creating --- to be looking at our transportation needs not just for the short term in the next 5 years or so make sure we have adequate highway user funds for our local governments, but also to be able to deal with --- and the oddballs that are the aftermath of it, there is not enough money in our transportation --- right now to take --- that needs to be done and so I am going to be on the Commission for the next two years that is going to be looking at not just the short term, which we need to do the immediate (inaudible) but also the long term and I mentioned earlier a lot of times sometimes politicians are really --- at the next election and on the energy front I am already looking twenty years out, 30 years out, on the transportation front I am also looking 20, 30 years out, we need to be

thinking a little bit out of the box on transportation when we look at how we are going to fund it 10, 15, 20, 30 years out because right now we rely heavily on gas tax and some are pushing that we increase the gas tax and even more transportation. That is a very limited resource, as cars become more fuel-efficient. We can look at public, private partnerships, we need to be looking at a whole range of different ways whether it is going to be development, the developer helps build (inaudible) like Shady Grove Metro all the way to Clarksburg and ideally all the way up to Frederick, they are going to benefit economically from it, how is the intended partner with that --- so those are the kinds of things for the next two years I am going to be really getting my arms around and with half the legislation I worked on this year we have to lay that foundation and I really --- for our future economic development, the people, jobs, it's a huge, huge issue and that is what I am going to be focusing a lot over the next few years.

Mr. Kuhlman: And it relates to this revenue sub-committee that you are on. How many meetings have you all had so far Rob?

Sen. Garagiola: On the --- Commission or the Health Care Sub-Committee?

Mr. Kuhlman: No the revenue, municipal, state.

Sen. Garagiola: Oh gosh there is another joint committee that I am serving on that looks at state and county and local revenue and we studied how is the breakdown in other states, what are the taxing authorities that municipalities, counties, states have and you have that some would say burden across the spectrum and what is spending and what is spending on among various states in comparison. We met all and it is going to be another year for me on that as well, the last year we probably had about 6, or 7 or 8 meetings or so and one of the things we spent a lot of time on was making (inaudible) the County school funding issue that came up and we put together recommendations for that, that is something that we are going to be looking at again, what is the proper right now 40% of our budget --- the way Brian suggested 80% is schools which most definitely goes to local government like 99% of it, public safety I would say at least half or more of that goes to local government, and health care (inaudible) 40% of our budget goes to County and Municipal governments and it got as high as 45% I think right now it is at 39%, well how did that mix compare to other states, is that the proper mix, are you becoming overly reliant on our highway user fees...

Multiple Conversations Taking Place

Sen. Garagiola: There is a proper balance.

Mr. Kuhlman: Mr. Janet.

Mr. Janet: One last thing. You have to do a better job taking care of small business like I said 4 years ago, you have to do an even better job, I am a fighter for small business, we got to do more, 80% of the jobs, the stores have all --- creativity and are a standard --- this is what it is all about. And those incentives got to go to the small business, right now I can tell you they are leaving and throwing in their towel and it is a serious thing and it is going to get worse if it happens like it did California, Maryland is done, now you pointed out Maryland was number one in the nation in jobs we have to do even better and we can do it with the tax incentives because right now most of the people I can tell you in an independent survey I have done most of

the civilians and military go to Virginia when they retire and buy homes and cars and everything else and they spend money that could be spent in Maryland.

Mr. Kuhlman: Yes Ma'am you have a question?

Speaker: Yes I have a question. The speed camera in the local paper here we get about once a year we get to find out the thousands of dollars that did, this is a private company in conjunction with Maryland government or who owns the speed cameras that is earning so much money that the State of Maryland could be earning money from. They catch you if you go (inaudible).

Speaker: Well definitely a part of --- and I think the more important thing for this community was the fact that so frequently so much money was being collected by the speed cameras right here and the Town was not receiving a penny back for public safety programs and so in conjunction with your Commissioners we devised a strategy of some sort to put in a piece of legislation to our local Delegation to require the County to have a conversation with your Commissioners to make sure that the equity at least maybe not resolved perfectly but much better than it was a year ago and I think that it is --- to say that as a result of these conversations at least the town is getting back some revenue. I think the ownership issue is who administers is less important, whatever road the municipal --- is it should be distributed equitably and fairly and I think the Poolesville community was being short changed until this year and they were able to resolve it and work together at the local level.

Speaker: But who gave them permission to put the cameras out?

Speaker: Well that was the State.

Speaker: You know Poolesville owns the land and those people put the cameras out on our land so presumably we should be earning a lot of money from those speed cameras, of those 4 separate counting from the Ferry and they don't know, or they don't say oh it's a camera I don't care and they go and they get caught and we have speed tickets.

Sen. Garagiola: Well this has always been a very controversial issue now let me just say that people criticize it being a revenue producer for the government. The reality if we wanted to do that we would have brought these out at each and every development. We have got --- way way back so its only school zones and residential neighborhoods and then last year we added work so if we are on the highway and even then we said you got to be at least 10, 11, 12 miles over the speed limit so well that is what the law says you have to be 11 miles over the speed limit even to get one of these citations.

Speaker: No that is not true.

Sen. Garagiola: Ok well that is what the law says I don't know what is being enforced.

Speaker: They capture at a lot lower speeds than that.

Sen. Garagiola: Well if it is not 11 miles over the speed limit that is an unenforceable citation and the law says at least 11 miles over. So nobody likes these things, I mean I hate them, everybody hates them and we didn't mandate it we just authorized the County if they wanted to do it they could do it. If you don't want to do it you don't have to, some counties chose to do it, others chose not to, all we did was enable them if they wanted to but we had very strict parameters and the money had to be

used for pedestrian safety programs it couldn't be used to fund public schools and all that. So I hear you I don't like them, I don't know anybody that does.

Mr. Brown: I like them.

Mr. Kuhlman: Just so you know the cameras down by the pool if you are doing over 36 it is going to take your picture, the camera down here by the Catholic Church you have to be doing 41 or higher and then your picture will be taken, you are given 11 miles over the speed limit, the problem with down by the pool is the County has set that speed limit at 25 so that is the problem.

Speaker: Fine (inaudible) in the car but I do think that they have their machine set up there and getting so much money from them we are (inaudible) that a lot of people do not agree with, they don't want to spend their money because the taxes are going to go up, they are building homes when we have a lack of water here.

Mr. Kuhlman: We don't have a lack of water.

Speaker: So we could use the money so not to pay higher taxes for improvements that make people probably don't care, granted --- does it have to be fancy no, they are not fancy...

Sen. Garagiola: You should --- your Commissioners to maybe push the County and \$5,000.00 per you know --- is really low but does it generate the kind of dollars and again we put them on the beltway I mean to do all that...

Multiple Conversations Taking Place

Speaker: They don't even have to work for the money and other people are working and killing their backs for \$2.00 and those people are not doing nothing to earn all that money, that is all. I am just thinking about what is right and what is fair and why should they just be sitting there collecting while others are out working very hard paying higher and higher property taxes they are all going up, we haven't seen nothing yet of what it is going to cost us with the health care and everything else we are going to have less and less money to do things with and so everybody should work just as hard.

Mr. Kuhlman: All right thank you Ma'am. Anybody else have a question that hasn't asked a question tonight? Seeing no more hands we would like to thank you all very, very much.

Sen. Garagiola: One last thing. The four of us work very well together but I also wanted to say that we work well with the Commissioners, they do spend a lot of time in Annapolis on a lot of the issues that this Town is facing and I feel we have been very responsive but I will tell you they work very hard for you and they make sure that we know what is on all of your minds, so appreciate all the work that the Commissioners do as well.

Mr. Kuhlman: ok under announcements and at our second meeting in June we will have a guest in the County Executive Ike Leggett will be here for our meeting to speak about County affairs and answer questions of the citizens. Are there any other announcements?

Mr. Klobukowski: Yes I have got a couple. There will be a neighborhood watch meeting on the 18th of May here at 7 pm. I believe there will be an Officer from Montgomery County Police Department here to instruct how a neighborhood watch system could be set up. We have quite a few interested people in it and I am very glad for that. The other thing is, is there is a you probably all saw the sign about the

bullying and cyber-bullying session they had at the high school on the 26th of April, unfortunately I will be blunt with you it was very under attended and I thought that for me it was quite enlightening even though I know some of the stuff that is going on and read the news about the suicides that have been caused by some of the stuff that has been happening. There were only about 11 parents there out of maybe 22 people or more, the rest were all administrators or counselors or whatever. I would hope that parents would avail themselves to these opportunities when these information sessions are put on to have a better understanding of what could possibly happen if they don't pay attention and ask their kids questions about their cell phone use and their computer use but what could possibly be a very tragic happening in their family and there is another meeting on the 13th of May at 9:00 am I am not sure of the location though where the Committee will be having a meeting to discuss further events. And also on the 17th of May, which these ladies are coming up, there will be a meeting of the Poolesville Monocacy Round Table discussion group at the middle school at 7:30 pm and then there is an information meeting on the 24th of May at 7:30 pm and that is at Town Hall, oh that is right we go from the Media Center to the Cafeteria, thank you.

Mr. Kuhlman: All right thank you. Any other announcements?

Approval of Minutes

Mr. Kuhlman: All right hearing none we will move on approval of minutes of the April 12th Commissioners Meeting, is there a motion for approval?

Ms. Gruber: Motion to approve minutes.

Mr. Kuhlman: Is there a second?

Mr. Hoewing: Second.

Mr. Kuhlman: Any comments? All in favor?

All: Aye.

Mr. Kuhlman: Passes unanimously.

Open Forum & Citizen's Comments on Agenda Items

Mr. Kuhlman: Open forum & citizen's comments on agenda items, tonight we will be hearing from representatives of our Cluster and PTA Presidents, is there any comments from the citizens on that? Seeing no hands we will be discussing the Dickerson area facilities implementation group and a vacancy on that group, any comments? All right we intend to appoint Charles Stump of the Planning Commission as a government representative to the CEDC Committee, any comments? And Mr. Yost will be giving us our FY10 third quarter report. All right seeing no hands, anybody have anything in general?

New Business

Mr. Kuhlman: All right seeing no hands we will go back to the agenda on keep Monocacy open and tonight we are pleased to have with us Lynn Rolls, Poolesville Elementary School PTA, Linda Demelio, the Poolesville Elementary School PTA Vice President, and Dawn Albert the Monocacy Elementary School PTA President and Sarah Defnet our Cluster Coordinator and you all want to talk to us go ahead. Please come up to the desk and if all four of you want to we will get you two more chairs.

Ms. Defnet: I guess we just want to give you an update on where we are with the Roundtable we have put out a lot of information through a lot of different mechanisms through the school, through the website. The Roundtable has met

twice it has been a very interesting group we weren't really sure how it was going to go but as you know it is an 18 member group that consists of the Poolesville Cluster and the Northwest Cluster because they are an adjacent cluster in the Clarksburg Cluster and it has been a very interesting collaborative effort, we found actually a lot of support out of the group in developing --- the idea of the Roundtable really was to brainstorm ideas and contribute --- for increasing the enrollment in the Cluster and because they are adjacent clusters in a purchase can affect the adjacent clusters and if they were brought in from the very beginning so that we could have that all stakeholders present and have that discussion.

Ms. Rolls: We have sent a bunch of these out to the media I believe and one to Jerry.

Mr. Klobukowski: I forwarded it to the Commissioners.

Ms. Rolls: And all the approaches are listed. The first meeting we just brainstormed approaches. The second meeting we recapped all the approaches and we as a Cluster agreed that approach number 1, number 7, number 9, and number 10 would have the greatest support for the Poolesville Roundtable Cluster and then there were other approaches that we believe will be interesting and they possibly have merit, these are approaches number 3, 13, 14 and 4 and approach 2, 5, 6, 8, 11 and 12 and after the second Roundtable meeting convened we also came up with an additional approach which I thought was interesting and that would be approach 0, approach 0 is defined as have the Board of Education develop a policy for schools located in agricultural reserves including Poolesville Cluster schools that recognizes --- data and accepts lower enrollment levels at these schools other than the SUPS schools and no more --- tape policy exists concerning schools in the Ag Reserve. This one particularly caught our attention we had a PES PTA Board Meeting last week was it and we agreed that approach 0 was something that we believed the parents from our PES community would find it a win/win situation and with regards to increasing enrollment we thought that approach 7 which is provide choice for elementary and middle school students to enroll in Poolesville Cluster Schools --- being transferred would help with the enrollment. So at this stage that is where we are right now, I have been talking to a lot of parents and they see that as a win/win situation and I don't really at this point know until we have our PTA Meeting tomorrow night to get more input from our community, but that is where we are right now with this. Right now we are in due process and I think it has been working great I mean like Sarah said we just had tremendous support from the Roundtable all the way around because we were just really pleased with how they were supportive.

Ms. Defnet: We started every meeting with trying to remind everyone that we don't think that the school has a problem because of where it is located because of its occupancy and so we always try to come back to that also because in the recommended proposal it takes into account no development in the Ag Reserve and Poolesville and the whole Roundtable is actually mediated or moderated rather by Bruce Kristell head of long range division, long range planning and we have many examples of where long range planning has really failed to accurately predict the numbers and all the schools and the input that we are getting from the members sitting on the Committee talking about schools like Matsunaga that have an enrollment of almost 1100 students and it was built for 659. Great Seneca Creek

Elementary School is heading in the same direction and so are all the schools in Clarksburg so there is a tremendous balance and in the same conversation Mr. Kristell talks about the well there is only 3 or 4 homes across from the High School well no I did a drive through there and I was very excited to count 20 between the homes that have been built and that was probably a week and a half ago so I am sure there are probably some more that sold in the last week but 20 lots with sold signs on them, that is more than 3 or 4 and people are coming to this community for high school and it is great and it is a draw and I think that we are going to need help and support from the Town in trying to document wherever they are talking to the developers but in trying to support our assertion on the development because as part of the report the Town can submit a paper and so any information that the Town can provide as far as the economic outlook I mean their approach is well the economy is not too good, we are not really expecting a lot of homes to sell, but we think it is a little bit different out here, we think it is a little special, we are drawing people to this community for our schools which is great and then of course the other Brightwell Crossing just had their grand opening, I know before their grand opening they had already sold one and I don't know their progress but that is a way that the Town could help in terms of the position paper and just providing support for that. We will be addressing that in the position papers as well.

Ms. Rolls: Dawn just told me that Kettler sold two houses his opening weekend.

Ms. Defnet: Great.

Mr. Klobukowski: Let me just add on here about the Ag Reserve point. Let me quickly mention, back up one second though, initially I went into this I was very skeptical I thought there would be a lot of friction I thought there would be a lot of antagonism between the clusters and you did feel a little bit of tension here and there but for the most part I was very surprised of the supportive nature of a lot of the Cluster members out of cluster members for our position and particularly I think the approach 0 about making a definitive policy statement with respect to the Ag Reserve that you created the Ag Reserve you should have enough foresight to understand that with the entity that you just created gave birth to is completely different than downtown Wheaton, Silver Spring, Tacoma Park, it has a different makeup it has a different purpose and for that you should take that into account. And what was really amazing is when Mr. Kristell turned to me and looked at me very seriously and said well does Poolesville consider itself in the Agricultural Reserve? I said yes we do very proudly so, so I mean the naïveté on the part and he is the Chief of the MCPS division of long range planning, it is sort of mind boggling that they --- but what we need from the Town is for Wade to come up with a position paper saying basically we have x number of homes within the Town, we are not restricting really restricting development, we are going with what the market will bear with respect to if more homes are sold than 30 a year than more homes will be sold that we can accommodate them with water and sewer and that you need to factor that in because they didn't factor the homes in Brightwell Crossing as Sarah said, they didn't factor in Stoney Springs, they didn't factor in West Offutt Road, they didn't factor in all these little developments that are going throughout the Ag Reserve and all this other stuff, they factored in none of that and then they come to

this decision. But I think it is important and I have something here that I would like to read but I will wait until after Sarah and Dawn are done or Lynn pardon.

Ms. Defnet: And I guess the other thing that our neighbor clusters spoke to in the Roundtable was just their experience in looking at and the reason why we care so much about the local numbers is because you look at the number projection under our consolidation approach we would, a couple years out we would be over crowded and in need of space and they despite Matsunaga and all the schools that you couldn't imagine could be so overcrowded with 14 portables waiting for an addition and they said don't think we are going to get an addition, we are not in the CIP, they have been trying and talking about it in testimony for several years now and they are 100's over capacity so that was good to hear from their experience.

Ms. Rolls: I talked to a lot of parents in the last several weeks and I heard from many of them why would you want to take away that choice, it is all about choice so it would be hard for us to sell homes if PES is overcrowded and I think it will affect our real estate sales.

Mr. Hoewing: Sarah, Lynn knows as you know I was on the PTA for 22 years and on three different committees including a Board Committee which had three challenges at one time because the high school was under enrolled. There is --- options piece of this, we were --- with the strategy to essentially delay this and get this committee so we could begin to form the basis for a recommendation and --- is good, but there is also a options piece of it which Bruce is chairing this so they are doing it for a reason they are trying to lead to something, obviously they would like to close it but that is probably not what is going to end up happening if they keep getting pressure, so where do you think they want this to go, do they want to have some of your options which you didn't mention the ones that you think are favorable are ones like sharing the so that Poolesville is 1st or 2nd or 3rd and Monocacy would be 5th and 6th is that what they are really looking at, something like that.

Ms. Defnet: No. I mean first of all the approaches was to put all possible approaches out there that anybody thought of without judging them and choosing but actually the Roundtable is not allowed to even take a consensus it is any time anyone starts talking about the common and direction that it is going in it is kind of stopped and we are all reminded that we are not going to have cost options, we are not going to be waived, I mean obviously in a climate that we are in any approach that comes with a high price tag is probably not going to fly. We think it is probably a combination of approaches and we think there are things that even in new programming there is a lot of grants out there and some of these options like with the Ag Reserve type with an agricultural curriculum, they could be in place at really either school, it could be in place at Poolesville Elementary where there is more capacity, it could be in place at Monocacy that in combination with open transfer I mean transfer requests have already been denied this year. It just makes no sense and then of course with the error of this that often affects peoples decisions and what they are going to do but we think it is probably going to be a combination of approaches I mean they keep trying to steer it in a linear fashion I think toward one approach and we think the problem is more complex than that. I look at the, I have a lot of concerns about the Middle School and you know if you collapse this into a linear cluster we have already lost one elementary school, we lost Edward E. Taylor

everyone has now forgotten about that but that was part of our cluster. If we go down to one elementary and one middle one high school I am not sure at some point when the middle school population declines with 50% that they don't look at that school building and say maybe K to 8 looks good over there. So I would have never thought they would have been considering what they are considering today so I wouldn't, I think it is going to be a layered approach, I mean I think in combination with a transfer policy, possibly looking at some of the new programming and draw there are definitely families that want to come into this cluster and we have spoken with families even in other clusters where it is overcrowded, they are not as concerned about getting in at the elementary level but if that would let them come in and stay in the cluster they would so it is hard to answer your question because I mean the only thing we can say is obviously if it has a big price tag it is probably not going to be favorable so everyone is I think very conscious of that even though we are not allowed to get the cost data or really talk about it.

Mr. Hoewing: Well you do answer my question because in the border review we did there were a lot of interesting ideas that we really couldn't explore because they had clearly some framing about what they wanted to see happen.

Ms. Defnet: And just to keep it in context it is the Board of Education really that mandated that this process exists. They already knew which direction they wanted to go and it was the Board of Education that stepped in and said...

Mr. Klobukowski: The thing is, the whole shame of this is, is when Liz Smith was Cluster Coordinator she and I both testified that we tried to be proactive in saying do something now to help boost the student population at Monocacy and we said before the Clarksburg boundaries were established and you know about boundaries or anyone who reads the paper as soon as you talk boundaries parents antennae's go up and it is like a herd of stampeding elephants running at each other and they all get really upset and they get really emotional and that really detracts from what is the best for the child and so at that time we recommended that you just move the boundary to the west side of I-270 and that was basically dismissed summarily out of hand without any study they just said no that is never going to happen. But consolidation of Poolesville and Monocacy Elementary Schools into one school will definitely not extricate the Montgomery County Public School system from all their budget woes and shortfalls or increase the in cluster student population in either John Poole Middle School or the High School, so in cluster I think is very important. John Poole currently has the capacity for 480 students and its current enrollment is at 75%, the middle school needs approximately 150 5th grade students to matriculate to 6th grade each year to ensure a diversity of robust academic programs and eliminate the need to plead with MCPS for teachers and resources, that is slightly more than both our elementary schools could provide even if they are both at maximum capacity. Currently we are witnessing a decrease in the number of teachers and course offerings as student populations decline. I am always suspicious of those who say the county will always keep John Poole Middle School open and will never close it. If Dr. Weast can propose the closing of elementary schools whose student population is under 300 nothing could stop him from decreeing that a new minimum middle school population should be 600 and closing John Poole Middle School because it does not meet that criteria. Additionally MCPS

currently projects after 2011 the middle school population will decline to 50% of capacity by 2015. I heard some parents say that Poolesville Elementary School will get more resources along with getting Monocacy Elementary Schools library books and playground equipment and save the County approximately 1 million dollars a year and that is a very myopic view on how MCPS works, there is no guarantee that PES will be given dibs on the used books or the used playground equipment, there are other county schools which are in need and they expect to receive Monocacy Elementary Schools resources, even now MCPS projects that within 3 to 4 years of consolidation PES student population will increase necessitating an addition or dare I say the use of portable classrooms so lets see you possibly save 1 million a year for 3 or 4 years and you have to spend 5 to 6 million in an addition at PES, you are already 2 million dollars in the hole, furthermore the 51 year old PES which only had a partial modernization in 1978 has not even had a fact evaluation, which basically is how they score and rank schools for modernization, it is not on MCPS's current modernization schedule. The consolidation does not mean PES will receive all the resources it needs, MCPS will still be short of money and if they say within 3 years the school needs more room to accommodate increased population where will the savings be. Saving 1 million for three years only gives MCPS half of the 6 million it would probably need for a PES addition and everything that goes with it unless they use portables, which also cost money. More importantly the consolidation would result in larger class sizes, parents and teachers both agree on the benefit of smaller classes for optimum learning and one final point is when the County created what is now the nationally heralded Agricultural Reserve they promised to the Reserve residents unspoken, maybe unwritten but there was a promise there a pact that the size would not be used as an excuse to shortchange them on services or make those into 2nd class citizens. The Poolesville Cluster has always asked for nothing less than equity, all Western Montgomery County Cluster communities need to join together and say with firmness and determination that we will accept nothing less than keeping Monocacy Elementary School open. Thank you.

Mr. Kuhlman: Where you reading that from?

Mr. Klobukowski: An article.

Ms. Defnet: And you know we are concerned with equity and that is why giving something up so quickly without so much as a plan as to what it looks like even under a consolidation approach without a promise, without something is very, very dangerous, there is another related issue and it is actually County Council funding but you know the ESO program that provides the Police Officers to the schools there is currently 25 and they are funded by the County Council and this just came out this week and the County Council is looking at reducing that to 17, it is on the list of the 8 schools or areas that will lose it, you know Poolesville. So we don't ask for a whole lot from the County I don't think from our tax base of what comes out to the up county area, schools is a big one.

Mr. Hoewing: So so far at the initial analysis they did which was very inadequate initially they have not done anything further to define that or anything like that?

Mr. Klobukowski: No and that is one of the sad things about this in a way when you think of it you are talking about the continuation of a school and you are going to meet basically in 4 meetings and come up with all these approaches and all this

information and yet you can't extract anything from them and you can't sit there and sort of get into more detail, you would think that something of this nature you would have more meetings and discuss everything and to generate or formulate a recommendation to the Board of Ed and that is my opinion.

Ms. Defnet: And they will write the report and that is why our position papers are so important.

Mr. Brown: They will write the report based on the Roundtable?

Ms. Defnet: Yes they will but the author will probably have a slant.

Mr. Brown: The same slant that you have encountered.

Mr. Kuhlman: If I understand you are asking for our help in the form of a letter on Town stationary stating what we have approved in the pipeline as far as number of houses to be built, if water and sewer is available and ready for all those houses to be built and that there is no limitations as to how many homes can be built and sold per year other than the market. Do any Commissioners have any problem with that letter? All right Wade if you will put it together I will be happy to sign it.

Ms. Defnet: If there is any additional information that indicates what the market is looking like based on economic issues that would be useful information like the fact that...

Mr. Kuhlman: I mean we basically have about 380 to 400 homes approved in the pipeline, when they start building is up to them and the market.

Mr. Yost: Well not really. There is a window.

Mr. Klobukowski: Well they have a 2-year window.

Mr. Kuhlman: They have a 2-year window to submit a site plan.

Mr. Klobukowski: Right.

Mr. Kuhlman: And that window can then be expanded for another couple years.

Mr. Hoewing: But a couple things have also happened though that have actually I think probably increased the possibility you would have more kids come to the houses, for example the prices have been way down from where they started, that sounds kind of like it is counterintuitive but I think the reality is that families that are younger, that are likely to have kids are more likely to afford houses like that and that is not the case when it started out, I mean you are talking a million dollars for some of the early houses, now they are talking \$400,000.00. I think Tom Kettler's first house is only in the 450's or something like that.

Mr. Kuhlman: No he is higher than that.

Mr. Hoewing: Not more than 500 I guarantee you that that first one.

Mr. Kuhlman: The sales rep out at Winchester said they have yet to sell a \$400,000.00 everybody is buying the most expensive.

Ms. Defnet: When I spoke to him he said they have lower priced models but everyone was buying 750 and up.

Mr. Hoewing: Yeah but they are advertising 400 so there is a reason for that.

Mr. Kuhlman: If you make Wade aware of who to address this to and whatnot we will get it done and definitely cc you all.

Ms. Rolls: If I may, would you support approach 0 in your letter?

Mr. Kuhlman: What?

Mr. Klobukowski: Ok no what I think Lynn is asking for is that well everybody who is sitting at a Roundtable is supposed to issue their idea of an approach, what are the

best approaches and my personal opinion would be to endorse the Clusters approach, which would be some combination of 1, 7, 9, and 10, I thought it was 10 and 0 that had the most possible success to help keep Monocacy open. Am I stating that correctly?

Ms. Rolls: That is correct.

Mr. Hoewing: 0 is adoption a special policy for the Ag Reserve.

Mr. Klobukowski: Yeah to recognize the Ag Reserve.

Mr. Kuhlman: What I was going to suggest is I have recently been appointed to that Ag Advisory Committee now and I would be happy to at our next meeting make you aware of it, have you down there or do it myself and there is 2 committees that you should seek their support and that would be the Ag Advisory Committee and then the Ag Preservation Board and Jeremy who you met and talked to is the staff on both of those and both of those committees are established to advise the Council and the Executive on all matters pertaining to the Ag Reserve. Yes Dawn.

Ms. Albert: Just to add the Ag Advisory Committee did write a letter last fall in support of (inaudible).

Mr. Kuhlman: Yeah we got a letter shot out overnight almost out of the Ag Advisory Committee. I think they have no problem supporting that this situation should be treated differently because of the Ag Reserve, I am not trying to speak for them but I think that would be the outcome. As far as the Town goes I am very happy to sign a letter about how many units are in the pipeline, that there is no restriction other than the market on how when they want to start building and how many they can sell a year that we have the infrastructure in place for them to start whenever they want and so forth and so on and I think if you are looking for a further endorsement from my particular thing I need to study it a little first and talk to some people before I would endorse any one of your recommendations. The other Commissioners are free to outvote me but that is my opinion.

Ms. Defnet: No I understand that I would just give the consideration to approach 0 especially because as Lynn said it protects all the schools in the Ag Reserve so all of our schools that dip below the standards that are applied elsewhere in the County are protected by that, Poolesville Elementary, John Poole Middle School, I don't think we are going to have that problem at the High School now but.

Mr. Klobukowski: The thing is now I have talked with respect to the programs issue I have talked with Laverne Kimball about the music program, they don't have enough to have a full time music teacher at the high school or at the middle school and just because you have say 3 students or 25 students sign up for something it doesn't mean that passes MCPS's threshold for them sending a teacher out to teach the course and I think in a way when you have that, you have kids who are interested and all of a sudden you say no you can't do this then you are turning them off right off the bat and with respect to music if you don't have some sort of continuum going from the middle school to the high school you are not going to have a high school band, you are not going to have a high school course, you are not going to have kids in the marching band who play at the games, you are not going to have kids that play even at the school plays and if they want to put on a musical because you are just not going to have a teacher there to support the kids in what they want to do and there are a lot of kids who want to do that. So Laverne Kimball

who is the Community Superintendent says basically it is not necessarily need or desire, it is numbers, and I thought we had gotten away from that a long time ago but with respect to the middle school ever since Joe Saco just before he left and all during Richard Bishop's tenure there he and Joe fought to get programs out to the middle school and it is basically numbers, numbers, numbers, numbers, not equity, equity, equity, equity, so I think we need to...

Mr. Hoewing: Yeah the other thing we did in the past Eddie when I was on the Planning Commission we actually challenged the school system and some of the projections in some years because they actually were off based on what we were seeing in the market so if we could at least take a look at that issue, to not say we know you are wrong but do say these are raising questions on our minds based on what we are seeing and the sales patterns in this area and the fact that we have 400 houses over time that are going to be added here that you are actually don't see the drop offs you are talking about, not that we have to say you are wrong but we are questioning that. I think that might be worth putting in it too.

Mr. Klobukowski: I agree with Link that is a good idea.

Ms. Rolls: The idea about the case studies that Sarah cited earlier that could support further investigation.

Mr. Kuhlman: All right anything further?

Ms. Rolls: No thank you for your time.

Mr. Kuhlman: Thank you very much for your diligence and coming. All right Dickerson Area Facilities Implementation Group, Jerry.

Mr. Klobukowski: Right when I was at the Sugarloaf Citizen's Association Meeting earlier this month, Link was there too, I spoke at length with Richard Hill who is a member of the Dickerson Area Facilities Implementation Group and Poolesville was one of the plank owners you might say of that group when they first brought the Incinerator online along with other interested parties, Barnesville and the Sugarloaf Citizen's Association and some others. There currently is not any representative on the FIG for quite some time now Bob Chapman as a matter of fact might have been the last one, no Maury Boray was and Maury stepped down a long time ago. The FIG meets at Linden Farms in Dickerson four times a year the second Tuesday of the month March, June, September and December from 7:30 pm to approximately 9 or 9:30 pm, they give advise to the County on monitoring the performance of the County's Dickerson facilities, they review reports of the facilities impact on the area, the air quality and non air issues, and right now there is going to be an upcoming thing involvement in rewriting the 10 year plan for the facilities, which involves reassessing a lot of the stuff I mentioned, testing schedules, etc., and they would like to see a member from Poolesville on the Facilities Implementation Group.

Mr. Kuhlman: I don't remember Jerry because that was started back in the early 90's is that a County sponsored group.

Mr. Klobukowski: Yeah I think it is. It is a county group as I recall.

Mr. Kuhlman: Then the Town should have been made aware from Leggett that there was a vacancy and that the Town had a right or had a slot on there and I don't ever remember getting any notice do you?

Mr. Yost: Not at all.

Mr. Kuhlman: No because we don't decide who goes on it, we make a recommendation if its like all the other boards to the executive, he appoints, then the Council has to confirm.

Mr. Klobukowski: Well I know there are 2 Boards, there is the FIG and then there was SWAC, Solid Waste Advisory Committee and Bob Chapman for the longest time represented us on that even after he stopped being Commissioner he was our rep there and then he said I want to relinquish the role. But I am not sure I thought it was a County group but I could be wrong.

Mr. Hoewing: Where do the other members come from?

Mr. Kuhlman: From the up county.

Mr. Klobukowski: Sugarloaf Citizen Association, Barnesville and other members.

Mr. Kuhlman: I think Barnesville and Poolesville were each assigned one spot on it, Sugarloaf was assigned one or two spots and then it was just open to the normal citizenry of the up county for both committees, SWAC and FIG and then also we are supposed to I just found out a few months ago we have a representative supposedly on some Police Board that I never knew the Board even existed and they told me the man's name I never heard of him. He is supposed to be representing Poolesville.

Mr. Yost: Steve Vaughn.

Mr. Klobukowski: Yeah he came here the last time when Captain Didone was here.

Mr. Kuhlman: Yeah but he never announced he was representing Poolesville and I don't ever remember since 2000 us appointing or requesting appointment of anybody.

Mr. Klobukowski: Well I am not sure if that falls under the what you call it something we appoint or if someone from Poolesville who wants to volunteer.

Mr. Yost: I think that is exactly what it is, same with the Up County Citizens Board.

Mr. Kuhlman: Well that is fine.

Mr. Klobukowski: I mean the County has got so many committees.

Mr. Kuhlman: Well call down to the County in the next day or two and find out about this FIG group and whether that is a recommendation from us or somebody has to contact the executive with a volunteer and then report back to us at the next meeting.

Mr. Klobukowski: Yeah because one of the things that...

Mr. Kuhlman: Is there a volunteer on the Commissioners to be considered appointing to that?

Mr. Brown: Not me.

Mr. Hoewing: If I find out what it is I might be interested in it, find out what it is first.

Mr. Kuhlman: Ok if you can find out about it and educate us at the next meeting, thank you Sir. All right we need an appointment or Mr. Stump has volunteered to be the Planning Commission representative on the CEDC Committee because Mr. Coakley has decided to not seek reappointment to that committee so is there any discussion or questions, if not is there a motion to appoint Mr. Stump.

Ms. Gruber: Chuck attended the last meeting we had last Wednesday the 24th and everybody was happy with him.

Mr. Hoewing: I move the appointment of Charles Stump to the CEDC Committee.

Mr. Kuhlman: All right is there a second?

Ms. Gruber: I second that.

Mr. Kuhlman: Ok all in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously. Wade our 3rd quarter financial report please.

Mr. Yost: Ok this is for the period ending March 30 this is basically a snapshot of where we are with 2 projections in here and where we might end up at the end of the year June 30th. Start out with General Revenue so far we have received almost 2.4 million dollars of what was projected of the 2.7 and that was an adjusted number if you recall when we passed the budget last year we found out about a month afterwards that the state highway revenues were going to be about \$240,000.00 and we cancelled the Tom Fox Avenue sidewalks, put that back in the General Fund to cover that. Right now we really are slightly under where I would expect us to be with overall revenue and the basic cause of that would be from the interest income on the interest in the county fund we have, we left that \$90,000.00 number in there we had over the last couple of years and definitely it has not panned out even though we have 4 million dollars in that account .2% interest just doesn't cut it. So depending on the balances of the property taxes and income taxes because often taxes look like they are going to come in just fine, income tax it is really hard to tell we are due for one more large check in the next quarter so we will have to see where that comes in to see where we are going to be at the end of the year. I definitely think we are going to be at least \$20,000.00 to \$30,000.00 short from our original projections. On the expenditure side which does include salaries, staff, community events, debt service, trash removal and all that we have spend 1.3 out of the projected 1.7, we have done a lot of cutting back in different areas as much as possible especially with salary on overtime, we cut that way back. Right now our current operating balance is \$359,000.00 in the good so we are looking pretty good for the Town overall. Water and wastewater revenue we are down a little bit we talked about that of course next quarter is typically the largest quarter we are going to receive, I expect to get anywhere from \$200,000.00 to \$275,000.00 in revenue within this next quarter so it will bring the numbers a little closer together but probably won't cover the full projection we put in the initial budget. As far as water and wastewater expenditures, which does cover all the communications, all the maintenance, the chemical costs, electricity of the pumps and what not we spent \$692,000.00 out of the \$981,000.00 and that kind of shows you right now where we are with cutting back and saving money, we do have the water rm account and sewer rm account, repair and maintenance, they are both almost at full we had \$30,000.00 in each of them, we have spent all that money in both of those accounts, a --- or something goes out I would expect to probably go over in those accounts probably by a couple thousand dollars, don't be surprised of that. The biggest savings was in salaries and reduction in overtime and what I did I put a policy in after the first quarter that overtime because we have to do the wells every weekend and the wastewater plant, gave the guys a comp have to take a Friday off if they have to work the weekend that really cut back on the overtime, the guys didn't like it that much but it was better than the alternatives not having a job. Right now we are projecting about \$106,000.00 grant from the General Fund to the Water and Sewage

to balance that but again the last quarter see what the revenue comes in and it will tell us. I also put in the breakdown here we always talk about water versus the sewer costs as far as expenses goes and 64% goes to the sewer and treatment of the water and only 36 goes to the water so big difference. Additional funds actually this has changed since last week when I put this together, we received 9 impact fees so far they probably sold more properties than that but our mechanism for finding out is when they actually come in and pull the building permit so we have 9 so far. And part of that money goes to gets reimbursed to the developer, part of it goes toward debt service which will lower our expenditures on the General Fund side also depending on how many we do collect. As far as the CIP goes in the General Fund we spent about \$490,000.00 and that is being the band shell, parcel 840 development, skatepark, truck purchases, I believe we are about 1.4 million overall projection we are going to spend in that account among those projects do roll over to 2 or 3 years so. On the water side \$319,000.00 we have spent in CIP and that was with the ENR upgrade which is fully refundable, sewer camera equipment, pump station repairs, alpha treatment, we are in the process, we will be going to the Planning Commission next week with the site plan for that treatment system and then just well monitoring and bringing the pumps online. Overall cash assets just a snapshot at the end of the third quarter General Fund account \$104,000.00, water and wastewater just \$1,000.00 in there. Investment Fund a little over 4 million so a total cash on hand 4.2 million and then of all that \$930,000.00 of it remains in unrestricted cash reserves.

Mr. Klobukowski: When are we supposed to get the check for the radar cameras?

Mr. Yost: The MOU states that once we do our audit at the end of the quarters of the fiscal year and submit that to the County and they cut us our check.

Mr. Klobukowski: So we won't get it much before the first after the first of October.

Mr. Yost: I would say probably September or October if we are lucky and they are projecting that to be \$48,000.00, they have it earmarked in their budget for us.

Mr. Klobukowski: When you sent that form out it never really showed what they took in last year versus...

Mr. Yost: No there has been a steady decline you are right they made a couple million the first year, they made a million the next year and now it is...

Mr. Klobukowski: Because I know it was significantly higher the first year.

Mr. Yost: Right.

Mr. Klobukowski: Of course so were our nerves, every time the mail came.

Mr. Hoewing: Those really can't go in general revenues though right.

Mr. Yost: It is actually restricted funds it has to (inaudible).

Mr. Hoewing: Still it is an awful lot for something like that.

Mr. Klobukowski: Still that means that is x number of dollars you can redirect for less than the cost of...

Mr. Yost: If you have a project sitting there which we really don't right now so that is something we are going to have to build in and think about.

Mr. Kuhlman: Public or pedestrian safety.

Mr. Hoewing: Right.

Mr. Klobukowski: It could be used toward a future project, it doesn't have to be immediate projects right?

Mr. Yost: No it doesn't matter when it is.

Mr. Kuhlman: It just has to be spent on public or pedestrian safety.

Mr. Klobukowski: That is what I am saying if you have a \$250,000.00 project.

Mr. Kuhlman: All right any further questions of Wade? All right we have no old business, Committee Reports, Planning Commission.

Committee Reports

Mr. Hoewing: I did not make it to the last Planning Commission Meeting and George is not here so I do not know what they did.

Mr. Kuhlman: Mr. Yost do you have any report.

Mr. Yost: We are going to meet next Wednesday I will just leave it at that.

Mr. Kuhlman: Parks Board Mr. Brown?

Mr. Brown: Meet on Wednesday.

Mr. Kuhlman: CEDC?

Ms. Gruber: We met last Wednesday and appointed Karen for Chairperson and Tim Whitehouse was nominated for Vice-Chair. We had Cathy had visited Mt. Airy with a program that they have called the Search for the Golden Egg, it is a week long event and the local businesses are asked to donate to make a small donation to a gift basket and then create and hide their own golden egg within their business and then these kind of passports are sent out to people to participate and go to each of these stores and it is really getting it is a week long event and then at the end the donations that the businesses have come up with and bundled into like a gift basket or whatever is awarded to the winner. Really sounded like a great idea they have had amazing response from it, so Cathy is going to be pursuing that further.

Mr. Hoewing: Did the Town run that or the Chamber of Commerce up there.

Ms. Gruber: They have a group called Mt. Airy Main Street Association and anyway we are looking at maybe manipulating it changing the times and they did the search for the golden egg which was done over the Easter week or prior I think it was and we can manipulate the time and the theme to get it to a time when we have more down time, so probably in the winter months. Sign Ordinance enforcement, one of our members was approached by a storeowner who was not happy with the way the Code Enforcement Officer had approached her.

Mr. Hoewing: Is that you? Who is?

Mr. Yost: There is two sides to every story.

Ms. Gruber: There is. Apparently it was very, very, she was not handled very nicely, again there are two sides to every story ok but it was brought up to our attention that possibly sign ordinances could be relaxed a bit in these times when the businesses are having issues drumming up interest, getting everybody's attention that we thought the sign ordinances could be relaxed a bit.

Mr. Kuhlman: What were the circumstances Wade?

Mr. Yost: Probably shouldn't be discussed publicly.

Mr. Hoewing: Not the person, but were they putting a public sign out there again.

Ms. Gruber: They had moved their business correct and not moved the sign...

Mr. Yost: Yeah lets not talk about the details...

Mr. Gruber: Yeah.

Mr. Hoewing: But Karen can be persnickety.

Mr. Yost: It was a --- that had drawn out over 9 months trying to get this person in compliance.

Mr. Kuhlman: All right tell you what why don't you deal with the Sign Review Board first and see if they care to make any recommendations.

Mr. Yost: Well Rande had talked about lightening up the restrictions.

Mr. Kuhlman: All right anything further Lori?

Ms. Gruber: Business Fair was an amazing success, great job with that. Farmers' Market was the same and that is it.

Mr. Kuhlman: All right.

Ms. Gruber: Thank you.

Town Manager's Report

Mr. Kuhlman: Town Manager's Report.

Mr. Yost: I want to talk about Post Prom we have a request in here for the portion that we give them for part of the activities, I think everybody has a copy of the flyer of what activities they have that we can put towards, we have \$600.00 we promised or we allocated in the budget to go toward and typically you guys like to pick something out. Whatever your pleasure is.

Mr. Brown: There is no Post Prom Committee Members here?

Mr. Klobukowski: No Tim Brown is not here, in the past there hasn't been either.

Mr. Brown: I know I am just curious about the does anybody, some of us have kids that are going to be going to it obviously, do we know that there is going to be, that the transportation is being provided back from the Germantown Community Center.

Speaker: No I haven't heard of anything that has been arranged or planned.

Mr. Brown: Right neither have I which I thought was a bit alarming, which I think that if there was a recommendation to be made that we would make a recommendation towards putting the money towards transportation back from, treat it nicely, the Post Prom was moved to the Germantown Community Center this year I am not going to use the word high jacked in terms of how it was taken out of the local area but it was basically moved from a local area and taken down there.

Mr. Brown: We aren't local anymore but the kids obviously there are still a few kids that live in Poolesville that go to Poolesville High School and I think they are going to need to potentially come back up in this region last time I checked. So anyway I will look into that a little bit more, that would be my recommendation though.

Mr. Hoewing: Well it is April so if we don't do something.

Mr. Brown: Oh it is happening, it is happening right now, its 2 weeks away.

Mr. Yost: Well we know we are going to give them the money but we can definitely discuss it a phone call or whatever.

Mr. Brown: I will put that writing, thank you.

Mr. Kuhlman: All right anything else.

Mr. Brown: Mr. Kuhlman just because you don't have a child that goes to Poolesville High School...

Multiple Conversations Taking Place

Ms. Gruber: I agree completely that that should go towards transportation if our kids are...

Mr. Klobukowski: But part of the argument is that a lot of the kids who are graduating or attending the prom are no longer, it is not a strong core of Poolesville students, you have them all over the county.

Ms. Gruber: This is Poolesville High School.

Mr. Klobukowski: I know (inaudible) but that was what the reasoning was.

Mr. Brown: Well the reason is because there is a strong core of out of the area parents that are involved with the PTA so this is what has happened, so I would like to make a recommendation that if for our \$600.00 that we that that money goes to potentially have transportation back from Post Prom at the end of the night, that would be my motion.

Mr. Kuhlman: It would be or is a motion?

Mr. Brown: I would like to make a motion.

Mr. Klobukowski: You just did I think.

Mr. Brown: I know.

Mr. Kuhlman: And what is the motion again?

Mr. Brown: The motion is that the \$600.00 that the Poolesville Town Commissioners designate towards the Post Prom Committee be designated towards transporting the students back from the Post Prom to the Poolesville area.

Mr. Kuhlman: Is there a second on the motion.

Ms. Gruber: I second.

Mr. Kuhlman: Isn't that sort of like the parents responsibility I'm asking.

Mr. Brown: A lot of kids drive. A lot of kids rely on...

Mr. Hoewing: Do we have to pay their gas bills back here what are we paying for exactly?

Mr. Brown: Well we are paying for their safe transportation back, so a cab, bus.

Mr. Kuhlman: But the school isn't supplying any buses.

Mr. Hoewing: No.

Mr. Klobukowski: No they never have.

Mr. Kuhlman: I didn't think so.

Mr. Klobukowski: I mean it was everybody, the prom was at the Pooks Hill Marriott or wherever and everybody came back to the high school gymnasium and that is where they had the prom and so this year the post prom is now at the Germantown Rec Center.

Mr. Brown: And it closes at 5 am and the kids are going to be out all night or expected to find their own transportation back to this area.

Mr. Hoewing: Where is the Jr-Sr Prom being held?

Mr. Klobukowski: Rio Marriott I believe.

Mr. Hoewing: Rio Marriott so it is down there already anyway in that area.

Mr. Kuhlman: I know I talked to my sister today and her two sons went to theirs in Howard County the other Friday night I guess it was and she said her and her husband had to take 6 of them at midnight to this other location for the post prom and had to be back at 5:30 to pick them all up. I don't know if I feel right about voting to reimburse for transportation.

Mr. Brown: Ok well I tell you what upon your recommendation I will withdraw my motion but I will be looking into it further because it is something that caught my eye and I knew it would come up tonight and I wanted to make a point about the fact

that it was really the post prom has been taken away from the Poolesville community and I think to the detriment of the kids that are going to be attending it, that are local.

Mr. Kuhlman: Well maybe next year if we want to discuss it and the budget is any better maybe we ought to look at what it would cost to provide a bus to haul them down and bring them back.

Mr. Klobukowski: Yeah I thought that was what you were recommending Jim.

Mr. Brown: It is probably to late for that now. It is probably to late to push it now but it would force the issue on them with probably no good time to make a decent recommendation in terms of the what services could be provided. So I guess it is just initially my way of expressing my displeasure with the decision and the fact that there doesn't appear to be there is any after decision, after prom method of providing safe transport.

Mr. Kuhlman: Here again if your motion is just to give the \$600.00 to the Post Prom Committee then they might funnel it to transportation. We put this money in the budget to give to the Post Prom Committee.

Mr. Klobukowski: Right but generally when we put it aside we like some of the stuff that they have in there was gambling and some other stuff that we frowned upon and that is the reason why we always give it to the disc jockey or some sort of like moon bounce or something but this throws a whole new fly in the ointment and Jim's rationale is excellent and I know a lot of people at the PTA meeting were not happy when they found out.

Mr. Kuhlman: Not happy with what Jerry?

Mr. Klobukowski: They were not happy that the post prom party had been moved to the Germantown area for several reasons.

Mr. Brown: I withdraw my motion. In fact I will make another motion if I may just that we go ahead and allocate the \$600.00 as per our towards a general disbursement to the Post Prom Committee without a recommendation.

Mr. Kuhlman: All right is there a second?

Mr. Klobukowski: I will second.

Mr. Kuhlman: All right any discussion or questions?

Mr. Klobukowski: I'll just make a comment that I'll follow up with the President of the PTA and also Mr. Brown.

Mr. Brown: Please let them know we had this discussion.

Mr. Klobukowski: Ok.

Mr. Kuhlman: Ok anything further.

Mr. Hoewing: It is ironic though that this whole thing was started because I was involved in it for years too to keep kids from drinking and driving, now they are not going to be drinking but they are going to be driving and it is going to be very late when they leave.

Mr. Kuhlman: Ok hearing nothing further call for question on the motion, all in favor?

All: Aye.

Mr. Kuhlman: Motion carries unanimously. Anything else?

Mr. Yost: Yes couple more things real quick. We did have two bid openings last Thursday, one for the Fisher Avenue sidewalk project and one for the roof of the

wastewater plant, we are reviewing those bids and they will be on the next agenda for your review and approval. Also we are working on repairing the manhole that is sinking more and more right here by Hearthside Antiques, I've tried to work with the State to get a cost share on it, I doubt if that will happen because every department I have talked to so far says they don't have any money but it is probably going to cost 6 or 7 thousand dollars and it is the manhole itself that is the cause of the problem so I am trying to get that fixed pretty quickly. It is getting worse and worse all the time.

Mr. Hoewing: Wade whatever happened to the email you got about that Titus Trash situation which I thought actually did raise an interesting point, did anything ever happen?

Mr. Yost: It was all just taken care of, Titus Trash did pick it up once it was appropriately bundled.

Mr. Hoewing: Yeah but some of the points you raised about the kind of services that we don't have here in the Town.

Mr. Yost: Well you know I have heard more and more about that since the County stopped the yard waste and things like that it is a problem.

Mr. Klobukowski: Well yeah that is right.

Mr. Hoewing: When is the contract up for renewal?

Mr. Yost: Not for a couple more years.

Mr. Hoewing: Two more years, so if we wanted to modify we would have to add some money to make that happen.

Mr. Yost: Right and I don't know if he has equipment that is the thing big branches and things he doesn't have the equipment to do it.

Mr. Klobukowski: Yeah when we had the storm back there and all the storm damage I know everybody in Town was quite happy with the extra effort the Town and Titus...

Mr. Yost: That turned into a huge ordeal for Town Staff. We had to rent an extra machine, people were bringing stuff out of their backyard they'd had a couple years.

Mr. Klobukowski: I know a person who literally cut down a tree and didn't bother to (inaudible) and he said oh that is alright the chipper will hack it and I said no that is not what is supposed to be done. So in a way each individual situation has to be considered on its own merit.

Mr. Yost: And the blue bins I have had people ask about those even though we put the question out a couple years ago there was like only 15 people who were interested in actually getting them.

Mr. Hoewing: Yeah and what does it cost to buy a bin, it doesn't cost that much.

Mr. Klobukowski: What \$45.00.

Mr. Yost: Well that is what the County wanted for them.

Mr. Hoewing: Yeah but you can get your own, you can have one like that.

Mr. Yost: Well you could yes.

Mr. Brown: Container Store.

Mr. Hoewing: Yeah they are cheap.

Mr. Kuhlman: All right anything further?

Mr. Yost: That is it.

Citizen Forum

Mr. Kuhlman: Citizen's forum anybody have anything? Seeing no hands entertain a motion for adjournment.

Adjournment

Mr. Brown: Motion.

Mr. Kuhlman: Is there a second?

Mr. Klobukowski: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: We are adjourned thank you.

**Executive Session
May 10, 2010**

The meeting was called to order at 7:30 PM.

Present: Eddie Kuhlman, Jerry Klobukowski, Link Hoewing, Lori Gruber, Jim Brown and Town Manager, Wade Yost.

The meeting was adjourned to Executive Session as provided for by the Annotated Code of Maryland, State Government Article: Section 10-508(a)(1)(i) to conduct an interview for the Town Attorney position.

The Commissioners interviewed a prospective candidate, Kevin Best for the Town Attorney position.

The meeting was adjourned at 9:00 PM.

**Executive Session
May 11, 2010**

The meeting was called to order at 7:30 PM.

Present: Eddie Kuhlman, Jerry Klobukowski, Link Hoewing, Lori Gruber, Jim Brown and Town Manager, Wade Yost.

The meeting was adjourned to Executive Session as provided for by the Annotated Code of Maryland, State Government Article: Section 10-508(a)(1)(i) to conduct an interview for the Town Attorney position.

The Commissioners interviewed a prospective candidate, Jack Gullo for the Town Attorney position.

The candidate was excused after the interview. After a brief discussion the Commissioners voted unanimously to offer the Town Attorney's position to Jack Gullo.

The meeting was adjourned at 9:30 PM.