

MINUTES APPROVED 3/4/19
COMMISSIONERS OF POOLESVILLE
February 19, 2019

CALL TO ORDER:

Commissioner Klobukowski called the meeting to order at 7:00 PM. Commissioners Dickerson, Brown and Cook were in attendance as well as Town Manager Wade Yost.

ADJOURN TO CLOSED SESSION:

Commissioner Dickerson motioned to adjourn to closed session pursuant to 3-305(b)(1)(i) of the General Provisions of the Maryland Annotated Code for the purpose of personnel matters to include an Ethics Commission position interview. Seconded by Commissioner Brown. Motion carried 4-0.

Call to Order:

Commissioner Klobukowski called the meeting to order at 7:20 PM. Commissioners Dickerson, Brown and Cook were in attendance as well as Town Engineer John Strong and Town Manager Wade Yost.

PLEDGE OF ALLEGIANCE:

Commissioner Klobukowski lead the pledge.

ANNOUNCEMENTS:

Commissioner Klobukowski announced that they had just finished a closed session in where the attending Commissioners interviewed and appointed Suzanne Tallia to the Ethics Commission.

Commissioner Dickerson spoke of the District 1 leaders' breakfast and mentioned the Town of Somerset's Mayor, Jeffery Slavin's comments that the protection of the Ag Reserve was not meant to be in perpetuity. Council Member Friedson spoke in support of the protecting the Ag Reserve. She also mentioned Helping Hands were in search of a family to help.

Commissioner Cook reported that she had attended David Trone's Gaithersburg office opening and attended a Town Hall meeting featuring Andrew Friedson. She also attended the 1st speaker series presented by HMD. She had also attended the Climate Leadership Academy in Hagerstown.

Commissioner Brown reported that he had been requested by Keith Miller's office to testify in Annapolis in favor of the Grape Crush Facility and he had attended the "senior's" dance.

Commissioner Klobukowski reported the following:

1. Attended MML Legislative Committee meeting the purpose of which was to evaluate House and Senate bill which could positively or negatively impact municipalities.

Senate Bill 332 which if passed would mandate no procurement contract for goods or services from a state for which the U.S. Environmental Protection Agency...has identified two or more pollution source sectors at a backstop actions level of oversight. This bill has been killed.

There were two house bills one which prevent municipalities from taxing admission to certain amusement attractions and on gross receipts derived from any admissions charge for any activities related to agricultural tourism. This could mean breweries/distilleries/wineries with tasting rooms or establishments which derive their products from an ag tourism like brew pubs.

We opposed HB 880 Counties and Municipalities – Transportation of Animals – Limitation of Authority which would have allowed all animals except circus animal from being transported through county of municipality and supported SB 656 Heritage Structure Rehabilitation Tax Credit – Alterations – Opportunity Zone, Targeted Projects, and Transferability, which pertains to agricultural structures.

2. On 11 February, Valaree, Jim, and I attended a community leadership meeting with Councilmember Friedson at the Bethesda – Chevy Chase Services Center in downtown Bethesda.

From the comments by down county mayors, it was made readily apparent that Poolesville being an incorporated town can control its destiny. The down county mayors complained that they go through a long, laborious process of creating a master plan, holding town council and citizen meetings to garner citizen inputs, then craft it and approve it and after which the county signs off. Then almost immediately the county executive and council introduce zoning text amendments which change what their plans established.

Mayor Slaven complained about the development pressure placed upon down county municipalities and said the Ag Reserve or Preserve was not created to last forever. To which the councilmember said that was incorrect that it was established “in perpetuity” and that the whole system of Transfer Development Rights (TDRs) was built around it. So, the Ag Reserve is here to stay.

There was concern about the county council proposing changes to the Accessory Apartment law. The Town Manager of Chevy Chase said with the proposed change will change the original purpose from providing parent/in-law and low-income apartments to creating Airbnb apartments without any recognition of the unintended consequences, like whether there is enough off and on street parking, additional congestion, and impeding fire/rescue personnel from doing to their job in an emergency.

We also raised the need to resolve the 40-year-old Tax Duplication issue, where the county is required to reimburse municipalities for services, they provide their residents (e.g., road maintenance, parks, police, library, etc.) would be the responsibility of the county if the municipality did not exist. It was pointed out to Councilmember Friedson that he has 12 municipalities in his district more than any of the other councilmembers.

3. Kerri and I attended Congressman Trone’s Gaithersburg office opening at 8901 Washingtonian Blvd. When Jud Ashman/Gaithersburg Mayor said he had the greatest city in Maryland I said if Gaithersburg is the greatest City in the state then Poolesville is the greatest Town in Maryland.

4. I attended the Montgomery County MML Chapter/Prince George’s County Municipal Association Luncheon for State Senators, Delegates and their staffs. We advocated for our MML Legislative Priority concerning Small Cell 5G Rollout and legislative initiatives. I also spoke with Delegate Dumais and her staff about PHS and they were supportive. Delegate Dumais said she was advocating for more money for Montgomery County schools; however, I pointed out once they get the money they do as they want not as we want.

5. The Montgomery County MML Chapter has a very important meeting this coming Thursday night 21 Feb with County Executive Marc Elrich. The meeting will be held at the County Executive Office Building and begin at 6:30PM. Municipal Tax Duplication will be one of, and probably the most important of the subjects discussed.

I say this because of my discussion with Councilmember Katz after the 11 February Council Capital Improvement Budget hearing. Councilmember Katz is of the opinion that the county should receive “consideration” for the 17% income tax that we are authorized to receive by state law

He told me that there was a formula which took the 17% into consideration. Suzanne Ludlow/Takoma Park Manager has been the point person on this issue for quite some time and she knows of no other formula, and neither do many of the chapter members to which I spoke. He said some MC municipalities would rather receive a tax differential than payment. I said we can work a methodology out to accommodate that

In the past, County Executive Elrich has said he supports tax duplication payments. We will have to see what he says at our meeting. He could say he supports us completely or introduces a “however” or a qualifier into the conversation.

Our chapter Secretary Monica Marquina sent an email to all chapter members appraising our member of this latest development with the Tax Duplication presentation attached. Incidentally, the presentation was to be used during brown bag lunches with the various councilmembers to educate them on this subject.

This is like the Peanuts cartoon of Lucy holding the football and her pulling it away just as Charlie Brown is about to kick it. At least Charlie Brown got to look at the sky, all I saw was the council hearing room's ceiling, which is very uninspiring.

OPEN FORUM:

None

APPROVAL OF MINUTES:

Commissioner Dickerson motioned to approve the minutes of February 4, 2019. Seconded by Commissioner Cook. Motion carried 4-0.

NEW BUSINESS:

Gifts for Elected Officials

Commissioner Klobukowski mentioned Congressman Trone's Gaithersburg office opening at 8901 Washingtonian Blvd. Mayor Ashman also gave the Congressman a plaque proclaiming it Representative David Trone Day in Gaithersburg, which made me think that we should honor some of our distinguished visitors with something similar, like a Town Hall Cat's Meow with all our signature on the back. The minimum order is 24 cost \$10.25 a piece total \$246.00 and with the \$19.85 shipping charge, the order would cost \$265.85.

Commissioner Dickerson motioned to approve the expenditures. Seconded by Commissioner cook. Motion carried 4-0.

Sidewalk Prioritization List

Commissioner Cook and Parks Board Chairman Doug McKinney presented the list and plans for providing sidewalks throughout Town. GIS Mapping was also discussed and will be discussed further during budget discussions.

OLD BUSINESS:

None

TOWN MANAGER'S REPORT:

Town Manager Yost reported:

1. Trash Survey Results
2. Feb 20, RFP Opening
3. Ice and Snow preparations
Crews have been topping off and testing generators in the event of a power disabling ice storm. Crews will be mobilizing around 2 AM. Plowing doesn't begin until 2 in. are on the ground.
4. State Road Take-over. No update, staff still waiting to plan an engineer's walk to review requested improvements. Commissioner Brown to draft letter to expedite meeting.
5. County Road Take-over – The County responded to Councilmembers Friedson's request for information, which stated another 60 – 90 days were needed to finalize the agreement.

COMMITTEE REPORTS:

PLANNING COMMISSION – Town Manager Yost reported on the January 16th meeting. The Board considered a variance for a stream restoration project, special exception for Wi-Fi on the water tower, 95% completion of the 5g small cell ordinance and water/sewer allocation.

PARKS BOARD – Commissioner Cook reported that the Board had discussed Sidewalks and amended the parks regs and rules to allow farmer’s markets on Whalen Commons.

EVENTS COMMITTEE – Commissioner Dickerson reported on the first Poolesville Day meeting.

SCHOOL LIASON – Commissioner Klobukowski testified 11 February Poolesville Cluster CIP needs. He also invited Councilmembers Friedson and Albornoz to tour the high school.

FAIR ACCESS – Manager Yost reported:

- a. Community Stakeholders Meeting next Tuesday February 26, 7:30 PM
- b. White Paper nearly final revision, final wordsmithing. Kevin to put power point together, dry run 6:00 pm on the 26th. To be published online, sent out to partners and a press release.
- c. March 27, Partner’s meeting 7:00 PM
- d. Next meeting March 12th, 9:00 AM.

ADJOURNMENT

A motion was made to adjourn by Commissioner Dickerson, seconded by Commissioner Cook. Motion passed 4-0.