

**COMMISSIONERS OF POOLESVILLE  
MEETING OF NOVEMBER 16, 2009**

**PRESENT:** LINK HOEWING, LORI GRUBER, JERRY KLOBUKOWSKI, JIM BROWN AND EDDIE KUHLMAN. ALSO PRESENT WAS TOWN MANAGER, WADE YOST, TOWN ATTORNEY, ALAN WRIGHT, AND TOWN ENGINEER, JOHN STRONG.

**Call to Order**

Mr. Kuhlman: All right good evening ladies and gentlemen we will call the November 16, 2009 Commissioners Meeting to order. First order of business will be the Pledge of Allegiance 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 everybody for that. Announcements, any announcements?

Mr. Klobukowski: Yeah I have got several so sit down and relax. On 9<sup>th</sup> of November there was a meeting with a group of people who want to keep Monocacy Elementary School open. The meeting was held at St. Peters and Council Member Mike Knapp was there and everyone expressed their dismay at the policy and process it involved and the fact they really don't want to see Monocacy close. On 10 November I attended a meeting with the Board of Education member Mr. Kaufman who we discussed again what is the rationale for closing, what can we do, is there --- to keep it open, what was his feeling on the matter etc. And then on the 12<sup>th</sup> of November I testified on behalf of the Commission in front of the Board of Education on the FY 2011 Capital Improvement Program Budget. Today there was a meeting with Board of Education members Chris Barkley and Judy Docca, tomorrow there will be a meeting with Board of Education members Shirley Brandman and Patricia O'Neal, Wednesday there is supposed to be a meeting with Ike Leggett at the Executive Office Building and Thursday evening there is a meeting at the Carver Center and they are supposed to come to some sort of decision with respect to the process or maybe even just canceling the process with respect to whether or not to close Monocacy Elementary School. And in that same vain I am going to submit a letter to President Brandman and the Board of Education members and I want to read that letter into the record. I am writing to you as a Montgomery County resident and as the Town's educational liaison Commissioner. The positions that I express are mine and are not necessarily shared by the rest of the members of the Commission. I am in opposition to Superintendent Jerry Weast's recommendation to close Monocacy Elementary School in June 2009. We understand the fiscal dilemma facing all levels of government today, however closing Monocacy Elementary is not in the best interest of the Poolesville Cluster. It would further negatively impact John Poole Middle School student population and programs that could be offered. Additionally it would be detrimental to the Cluster's

ability to internally grow and maintain Poolesville High School's student body. With Dr. Weast's proposed closure recommendation and supporting memorandum we are left with significant concerns and ask that you seriously recognize the implications that this closure will have on the Poolesville Cluster and its residents. Earlier in the decade the Poolesville Cluster proactively identified Monocacy Elementary's declining student population and recommended a boundary adjustment before the Clarksburg Cluster boundary had been demarcated. We recommended our northeastern boundary be adjusted to the south side of interstate 270, we were dismissed without a hearing or study describing in detail why this was not feasible. One of the reasons that we are now given is some students would have a longer bus ride, parents worry more about students to teacher ratio than the length of bus ride and there have been countless studies concerning low student teacher ratio versus improved student achievement. Additionally another impediment to the increasing Monocacy Elementary student population is MCPS's transfer in policy, the way the policy has been implemented makes it difficult for students to transfer in above the grade of kindergarten it could be easily remedied. When viewed from a cost of construction standpoint with the current state of the economy at all levels, it makes good sense to utilize every available facility to its maximum. In the darkest days of the depression, Franklin Delano Roosevelt said with respect to clothes, wear it out don't throw it out, that holds true for existing constructed and paid for facilities too, the past decade has also seen John Poole Middle School's enrollment decrease resulting in yearly staff reduction and program cuts or cancellations, the latest occurring at the beginning of this school year. If each three grades at the middle school had 150 students, the school would still be 30 students under capacity. Current capacity is 480, one elementary school should not be the sole provider of the requisite students particularly in a rural area. The entire Poolesville Cluster is within the Agricultural Reserve with Poolesville being the largest community. Preserving the Ag Reserve is the major issue for not only the Town and its citizens but the entire Western Montgomery County community. Our areas population density is far lower than elsewhere in the County but people who live in the Ag Reserve should be accorded the same community services as down county residents. It is far better for a number of reasons to have them provided within our community than elsewhere. This is an important reason why our 4 schools are so critical to the community and to the health of the Ag Reserve. By ensuring strong schools in our Cluster we can help maintain a healthy although limited population. Also pressure to develop the Ag Reserve will be lessened. The impact of Dr. Weast's recommendation on the Ag Reserve and on communities in our Cluster including Poolesville, Barnesville, and surrounding areas deserves serious consideration, however the Ag Reserve is barely mentioned in Dr. Weast's memorandum. The County made a conscious decision to create the Ag Reserve almost 30 years ago, a huge area of family run farms, open land, streams and woods, cultivated in open fields that is increasingly rare in the Washington area. The decision won the County national acclaim and continued accolades for being good stewards of the land. When viewed from a community and cluster perspective the recommendation review process to decide Monocacy Elementary's fate is extraordinarily rushed and limited in terms of citizen consultation and factual analysis and input. Even the supposed savings from the proposed consolidation of Monocacy Elementary and Poolesville Elementary are very difficult to understand and accept. If a consolidation like this were to go forward it

would involve a wide range of complex issues including impact of a larger student body at Poolesville Elementary on programs at the school, size of classes at PES, the fate of teachers now at Monocacy and the future of the Monocacy school building, furthermore Poolesville Elementary constructed in 1960, renovated in 1978 has not been modernized and there is nothing included in the CIP through FY 2011. The consolidation of Monocacy Elementary and Poolesville Elementary service areas is equivalent to a boundary change for the Poolesville Elementary, MCPS's boundary change process encompasses a much longer timeframe. The boundary change recommendation is made only after the Superintendent has received staff advise, advisory committee reports, options, evaluations, any PTA or Cluster position papers as well as input from other organizations and individuals who have provided comments. The Superintendent in Monocacy Elementary closure recommendation is --- position to the processes completion. As for the proposed Carl Sandberg Learning Center consolidation into new quarters at Merryville Elementary School campus the Superintendent suggested convening a working group of parents and faculty and a report and recommendations to be submitted by spring of 2011, this is a more extended approach that will allow for consultation with all affected parties, ensure that all aspects are thoroughly examined. It is hard to understand why the consolidation recommendation is by comparison so rushed in limited terms of input from parents, Western Montgomery County residents and affected bodies. Although I strongly opposed Monocacy Elementary School closure I recognize there must be a thorough deliberate process to help preserve it, therefore I request the process be accorded the same amount of time that a boundary change would receive. Monocacy Elementary is an interval part of the Poolesville Cluster and its students have helped contribute to the Clusters academic notoriety and I look forward to Monocacy Elementary students to continue to do so into the future. Thank you.

Mr. Kuhlman: Ok any other announcements? All right hearing none tomorrow night myself and Pete Menke will be meeting in Germantown with the Agricultural Advisory Board to see if we can get their support on the Monocacy School issue and on Wednesday afternoon the Commissioners will be having a lunch in Gaithersburg with our Delegation from Annapolis, we do this every year.

#### **Approval of Minutes**

Mr. Kuhlman: Any other announcements, all right hearing none move on to approval of the minutes of November 2<sup>nd</sup> is there a motion for approval?

Ms. Gruber: I motion to approve.

Mr. Kuhlman: Is there a second.

Mr. Brown: Second.

Mr. Kuhlman: All in favor?

All: Aye.

#### **Open Forum and Citizen's Comments on Agenda Items**

Mr. Kuhlman: Open forum and citizen's comments on agenda items, there is no agenda items tonight other than a work session on the Charter. Mr. Speelman come to the microphone please Sir thank you.

Mr. Speelman: John Speelman, Poolesville Hardware, 19961 Fisher Avenue. I understand that after the meeting with the public hearing on the solar issue and the wind energy issue that there was going to be a work session afterwards. I had an overwhelming majority of people supporting my issue. I understand that after the work

session nothing had been changed by the Planning Commission on my wind energy system.

Mr. Kuhlman: We have referred several questions back to the Planning Commission and we have not received any report back they are working on the issue.

Mr. Speelman: Ok well I just wanted to bring to light that I said after a one-year trial period I could take it down. I was told that Alan said the only way you can do that is to sue him, I take that very personable. I think there should be a document that could be drafted, implemented and signed with a trial period to let me do this without getting lawyers involved. Now if he wants to start the lawsuit before anything ever happened I take exception to that. The biggest complain I have heard this does not fit the small town character, I don't know how the Skateboard Park does but my wind energy system doesn't. They have redesigned the system now to look like an old thing windmill, now this has been going on almost a year, I have been as nice and polite in dealing with this and you all said that the petition of 350 people doesn't hold weight but when you have an overwhelming majority at a public hearing supporting me and I don't even get, I have to read in the paper that nothing is going on, I mean nobody has come back to me and said John or wrote me a letter that this isn't going to happen, you it is all just here say, so then I write a nice letter and put it in the paper and have support from the Town and now I understand that its going to be pushed until December. So can you give me some idea of what is going on?

Mr. Kuhlman: Well to answer hopefully a couple of your issues, Mr. Wright did not answer the question the way you implied, he was asked a question by one of the members that what guarantee would the Town have that if the Town decided at the end of the year that they wanted it taken down that it would be taken down and Mr. Wright's response I believe not verbatim he can speak for himself, was that if you refused at the end of the year to take it down once we requested you to, the only outcome would be for the Town to sue you. That is how that came up, it wasn't a flip answer like you are implying John.

Mr. Speelman: But the word lawsuit came up and I took exception. There ought to be a way that you guys could draft up something that I will sign in front of the Town and after a year if there is a problem I will take it down and that is what really bothers me, you guys aren't even giving me a chance.

Mr. Kuhlman: Well I don't agree with that because we are waiting for the Planning Commission to get back to us on quite a few questions we supplied to them.

Mr. Speelman: The only question I was told was solar panel farms, nothing on wind energy system that I proposed.

Mr. Kuhlman: There have been no decisions made John, none.

Mr. Speelman: Ok none at all ok so.

Mr. Kuhlman: There have been no decisions made on alternative energy by the Commissioners of Poolesville to this date.

Mr. Speelman: Do they have any idea when they may be able to...

Mr. Kuhlman: We are waiting for the Planning Commission to get back to us, when that happens we will have another work session.

Mr. Speelman: Ok and will you have another public hearing?

Mr. Kuhlman: No plans on it right at the moment.

Mr. Speelman: Ok.

Mr. Hoewing: It probably depends though what they recommend.

Mr. Speelman: So the main pump looking apparatus would that be a better way of going according to, I mean the major concern is it doesn't fit the criteria of the Town. Ok now I know the Planning Commission has got to do this but right now nothing, the document that the Planning Commission has submitted, the wind energy system still would not be allowed in the Central Business District correct?

Mr. Kuhlman: It seems that might be the decision but there has been no decision made.

Mr. Speelman: Ok then how would I help with this, what would you suggest I do, I am just trying to get this, I mean it is almost a year and I have been more than patient. I would just like to have something to...

Mr. Kuhlman: The only suggestion I have for you right now is wait patiently and let us get through the work we are doing.

Mr. Speelman: Ok can you tell me when the next Planning Commission work session will be?

Mr. Kuhlman: You will hear that in about 5 minutes.

Mr. Speelman: Ok thank you.

Mr. Kuhlman: I am not sure.

Mr. Hoewing: John just one point about this. I have been looking at this really deeply and there are many, many towns struggling with this, it is not a simple question. There are places in New York now in northern New York where they have allowed one energy windmill and the next thing you know they had lots of them. I am not saying that is going to happen here I'm saying it is not as simple as you might think it is because in that case they actually have now people suing the town because they have too many of these things that have come up. I am just telling you there are two sides to it, it is not just about the what it looks like in the Town, if it looks like an old windmill yes we had old windmills here I agree with you but you know I am sure if you look at pictures of the town that we had 2 of them that is all. They literally have dozens in this one town and they are suing the town because they let too many of these things get out of hand.

Mr. Speelman: But if you allow one on a test basis for a year then you'd have some information to go on.

Mr. Hoewing: But every time I look at this and I am not an attorney but I spend a lot of time with contracts in my office, there is just not an easy way to figure out how to come up with something where you say you would remove it if the town had an objection, what is the standard for that, just because we say we don't like it, I mean that's not a good standard and I can't think of one frankly. If I could think of one where we said at the end of the year whatever we say goes, I don't think that would work for you or for the town.

Mr. Speelman: Well I mean if it is a legitimate complaint I would be taking it down. I said I'll do it, I'll do. There is one over on Cattail have you seen that?

Mr. Hoewing: We looked at it and I listened to it and it is not as quiet as people say but it is not that bad.

Mr. Kuhlman: You've actually seen the propellers spinning, I never have.

Mr. Hoewing: Yes it was spinning the one day I was there.

Mr. Kuhlman: All right thank you Sir. Anybody else under open forum, Sir.

Mr. Baumer: My name is Gerald Baumer, 17205 Whites Road. Two things on the issue of alternative energy I think if we've looked at our electric bills in the past month or so and compared them to the last year and before we see an increase and if --- trade comes in plus the other things in there I expect we are going to see more. So my point would be

to be as supportive as we can with John and efforts such as that but not only that but look at it from the town's standpoint and say are there alternative or supplemental forms of energy that would be applicable for some kind of power for whatever the needs are, I don't know what they are maybe they have to do with the wastewater treatment plant and maybe a lot of other things but looking at that. The second item has to do with something that I have not heard mentioned it relates to the Skatepark and that is the liability issue, has that been addressed?

Mr. Kuhlman: Liability has been looked into. Wade correct me if I am wrong but our insurance carrier has said that the fee will be \$10.00 per year per feature in the Skatepark.

Mr. Hoewing: Believe it or not the injuries are lower for skateboarding than other major sports that gets played, believe it or not they are.

Mr. Baumer: Well that is good. The reason that came up is I was at Hermosa Beach California, they have a skateboard park out there and theirs is under guard and basically lock and key as to access and the number of people who can go in and out at any one time when it is open, so I didn't know if that was an issue or not.

Mr. Klobukowski: People have discussed that but also I thought let me ask a clarification question the last time I heard it was any feature, if the entire Skatepark was under, no jump was higher than 3 feet it would all be covered for \$300.00 a year. And then I heard that for every feature that is above 3 feet it was going to be an additional \$300.00 so where did the \$10.00 come from all of a sudden?

Mr. Yost: There is a base fee for a Skatepark, there is an additional charge and off the top of my head I forget exactly what that is for any feature that is above 3 feet high. But it is not that expensive, we did have a temporary set up for the recreational program during the summer at Stevens Park and that is probably where you got your numbers I'm not for sure but it wasn't that expensive.

Mr. Klobukowski: But according to the letter from LGIT it was \$300.00 for the Skatepark as long as everything was lower than 3 feet or lower, anything above 3 feet each additional one was going to be another \$300.00. Now that was 2 or 3 years ago so I cannot believe that those prices have remained ---.

Mr. Yost: I don't have the numbers in front of me so I can't comment on that now.

Mr. Kuhlman: Where does the 10 dollars come from.

Mr. Yost: It was a nominal fee but we didn't pay \$300.00 for the whole thing for the summer rec program.

Mr. Kuhlman: Thank you Sir anybody else, yes Sir?

Mr. Kendrick: My name is Chris Kendrick I am here on behalf of Sugarloaf Citizen's Association, we actually have a meeting going on right now that I will be late too. We have representatives from Mirant there talking about the new systems that are in place as a requirement of law for January to clean the air in the area and to clear the air for me. Sugarloaf Citizen's Association did an email proxy and we are in favor of Mr. Speelman's proposed turbine and I have a prepared statement. "Sugarloaf Citizen's Association is mindful of the legitimate concerns associated with electric turbines, structural considerations, adverse impacts to birds and bats especially in high density commercial wind farms, general precedent and aesthetics. Aesthetics are clearly the primary concern the Town of Poolesville Commissioners have recently raised. In this regard SCA would like to respectfully suggest that the Commissioners collected concern have been disproportionate to proposal before them. And Link I understand your

remarks. SCA believes the location, modest scale, and educational context of Mr. Speelman's proposed turbine represents an opportunity for the Town. In addition to the obvious environmental and educational benefits this turbine would also lead to an overwhelmingly positive interest, press coverage and support from across the County and region. We understand the Town's legitimate concern that permitting installation of one electric turbine could leave the Town vulnerable to a proliferation. In appreciation of this issue we suggest that the Commission collaborate with Poolesville area Chamber of Commerce members and other commercial establishments, the Town's people and create the verbiage necessary to specifically limit electric turbines both in scale and number within the commercial area. And as has been made clear by John himself he is willing to engage on a trial basis with just this one if there is some way to permit that and let everyone else know we are going to try this out and see what we think. In closing SCA believes the character of Poolesville's present and future should be seen in harmony with the proposal before them. We ask the Town of Poolesville Commissioners to find a way to permit Mr. Speelman's turbine and in the process help provide Poolesville with one more reason to be looked at with admiration."

Mr. Kuhlman: Thank you Sir. Anybody else, Mr. Behrend?

Mr. Behrend: Kurt Behrend Hoskinson Road. I just have a concern with the solar side of things and if you've noticed I have a 4 kilowatt system on my roof and Jim, Mr. Brown and Mr. Yost have been very good about trying to explain where your state of play is, I just want to make sure as you are going through this one thing I have seen in the papers that has bothered me is the idea that it can't be seen from the street. And if I misread something that is why I am asking, that concerns me because my house is visible from every street around it.

Mr. Hoewing: It's visible from the moon actually.

Mr. Kuhlman: Not being seen from the street was a recommendation in the CBD zone only, not for the residential.

Mr. Behrend: Because I would like to expand my system a little more I have roof space as Link notes that I can use. I've got it to all plug and play panels but I just want to make sure that I'm in conformance and we are not shutting down those possibilities because it is a good alternative and they are generally --- panels. I understand solar farm issues that is a whole other game so right now that is not an issue. Thank you Sir I appreciate your time.

Mr. Kuhlman: Anybody else? All right seeing no hands we will move on. There is no new business... Didn't see any hands sorry.

Mr. Berez: I am Maury Berez I live on Dowden Circle and am a long time resident of Poolesville and we are here just to endorse John's proposal for the windmill, we think it is an excellent idea and it would be a breakout opportunity for the Town of Poolesville and we think it would be a breakout opportunity and knowing John for almost 20 years and I think he is an asset to the Town and his business and his community service and his encyclopedic mind for any kind of problem you have and I would love him to add to his knowledge in the way of alternative energy through the windmill. I heard him arguing the aesthetics and things but one concern I have is that there are houses in Poolesville in the smack of residential areas, which are frankly eyesores that have been allowed to sit for years with no enforcement whatsoever. I mean on the street behind us there is a house that's exposed with plywood and blue covering and it has been that way for 2 years

and its just sitting there deteriorating and its an eyesore for the neighbors but I just think that in the commercial area and where John is going to be I think frankly a windmill on the skyline of Poolesville would be an aesthetic sight as far as I am concerned, I have enjoyed seeing the windmills and I don't know where Link gets the noise item because when you look at the nature of the propellers we've seen some windmills up in Pennsylvania and I have been through and near some and the sound is quieter than the average car running down the street so I just don't see that it is a noise problem or an aesthetic problem and I think with the attorney here if you enter into a contract a very clear legal arrangement for a pilot program that is clear I don't think there is a lot of people waiting to sue you or like this idea of oh my God lets be fearful of the potential litigatory nature of this thing, I mean I know Wade I have always found that we could just work it out Jerry we could just talk it out and Eddie and things like that I just think it would be a positive thing so I just want to be here is support of John. And my wife is supporting him too but I am talking for both of us for once.

Mr. Kuhlman: Thank you Mr. Berez. Yes Sir.

Mr. Carpenter: Hi there Andy Carpenter Hoskinson Road. I just wanted to speak in favor of the wind system, it is new, it is different that doesn't mean we need to be afraid of it. There are details to be worked out but we need to be in the business of getting those details finished. This is where the world is headed, we have energy issues that need to be dealt with. Poolesville should be at the forefront, we should be proud of how we react to the situation so we shouldn't be afraid, we should not hide behind aesthetic issues and I know those need to be dealt with but we have a water tower, we have those beautiful cell towers that are on top of the water tower, those were added for aesthetic reasons I assume. So we need to deal with that, McDonalds can pick whatever colors they want to paint their business, I think Mr. Speelman ought to be able to power his business in a reasonable way, thank you.

Mr. Kuhlman: Thank you anybody else? All right seeing no hands there is no new business, there is no old business.

### **Committee Reports**

Mr. Kuhlman: Planning Commission report Mr. Coakley?

Mr. Coakley: George Coakley, Chairman of the Poolesville Planning Commission. The Town Commissioners had asked us to look into several issues with the alternative energy policy, the one I am going to address tonight is the solar issue and in particular you had asked about what kind of footprints a commercial type solar establishment would take up in the RDT zoning area. And to get the information I spoke with a Charlie Himaline who is the team leader of the Solar Energy Technologies Program at the Department of Energy and he put me on to a number of other sources including Florida Power and Light which I will get to in a moment, but I'd asked him what constitutes a residential or a private solar facility versus a commercial and he said that there really is no specific guideline or cutoff he said in general most home type residential applications run in the 2 to 7 kilowatt an hour production and he said that in general probably 2 to 19 kilowatt an hour would be considered like a private type operation, he said like an Alcoa Power or Alcoa Aluminum Plant or something if they designed and set up their own solar system it would still be considered private but it may be 19 or 20 plus kilowatt hours to run their operation. So I guess in general the rule of thumb would be if it's like a 20 plus kilowatt-hour systems it may be considered a commercial type operation. Then to get to the

Florida Power and Light they just recently opened down in DeSoto County Florida the largest U.S. facility for generating power through photovoltaic cells and that produces 25 megawatts of energy and that system is located on 180 acres. So the largest system in existence right now is on 180 acres so anything less than that I'm sure would take up a smaller footprint. I got a print out from their website and also a photo of what it looks like an aerial photo of their facility and I will ask Wade to make some copies for you and get those to you.

Mr. Klobukowski: Why don't you just ship us the website.

Mr. Coakley: Or I can ship you the website. The other thing is I am a member of the National Energy Committee for Izaak Walton League and one of our members has a 2 kilowatt home system which comprises I think he said 11 solar panels and he and his wife have a partially wooded lot in Michigan and December 2006 to December 2007 they generated 1818 kilowatt hours of electricity. In December 2007 to December 2008 it was 1821 kilowatt hours and I'm not sure what I will have to go back or speak with Mr. Hernandez and find out what wind power in this area would generate, I am guessing if a partially wooded lot in Michigan produces 1800 and some kilowatt hours with a 2 kilowatt system that we should have higher performance in this area, so we will do that and he sent me a whole rundown of his system and I will provide a copy of that to you also so you can get a feel for what a home type use system would be expected to generate.

Mr. Kuhlman: Ok.

Mr. Klobukowski: Well (inaudible) Michigan at least they have some area.

Mr. Coakley: Well yeah probably more than we think I think.

Mr. Brown: George I had a question for you just to step a little bit off where you are on solar. I attended a bunch of the Planning Commission Meetings relating to all of the alternative energy discussions, very enlightening obviously a ton of work has gone into this, a lot of discussion, a lot of research, for your in your experience so far and Link you can feel free to comment too, I guess the question I always come back to and I guess this leans toward the people that insist that the pluses and the minuses of the wind turbine one of the minuses is aesthetics, I actually proposed to and I'm actually been interested in learning too what are the positives, the true positives of the wind turbine and now I think it is pretty clear cut that there is without question clear positives and benefits to the solar panels and I know geothermal is something that is always growing in terms of its proficiencies, but tell me this, what did you guys hear specifically what a wind turbine would benefit in this area, how successful was it proposed to be. I understand John's need and I respect John's attempt to be a leader in this but I guess the question I have always asked is what is the benefit, this is the 2009 version of "Where's the beef " or where is the wind.

Mr. Coakley: Well benefit is tough to determine because there are buy backs for energy that you put back into the grid that can run my understanding is from like 45 to 65 cents a kilowatt hour, so you have to factor that in and find out approximately how much off use energy you are putting back into the grid and then figure that out, but then I also understand there is a slight transmission fee that is charged the provider of maybe 3 cents a kilowatt hour so that would reduce what the net on that would be. You have all kinds of tax breaks that Congress is changing on an annual basis almost that you would have to factor in, and then you would also have to know how much is actually being generated,

how much are you using for your personal use and what's the rate in each locale, in this case commercial use.

Mr. Brown: I don't remember hearing a professional non-salesman opinion and maybe you guys did and if you do let me know, a non-salesman opinion of exactly how much benefit there would be to the wind turbine to either John or to the grid if there was something that could be had there, I mean I as everybody here should know I am definitely in favor of alternative energies, I am in favor of greening up as much as we can, I was one of the proponents for our impervious parking lot, across the board I think it is a great idea, but I need to know and so far no one has proven to me yet what is the benefit of having a wind turbine in this Town at the height level that has been proposed. And if someone could spell that out for me, anybody in the audience, anybody I would like to know what that is, if you can tell me that there is a benefit that not just for the Town but specifically for John I mean hopefully something beyond tax breaks etc., but I would like to know if there is, I mean if there is a benefit everybody that is qualified to speak about this I mean I can't take over the meeting but I would like to know.

Mr. Coakley: Well the information that I have been able to find out so far and that is certainly limited compared to what is available. The most people have implied to me that they didn't think wind production in this area would be that cost efficient.

Mr. Brown: Right so you are saying that there would be...

Mr. Coakley: Now they have all implied that solar would be probably a better route from return on investment aspect than wind power would be and if you look at the gross tables that are put out by the State of Maryland and the Federal Government Central Maryland falls in a fairly low wind zone.

Mr. Brown: Fairly low or the lowest.

Mr. Coakley: I think it is second to the lowest. However when you ask people a little more specifically location can have a lot to do with that because they are looking at a fairly large geographical area that they are gathering their data from, your site location might be either between certain buildings or between certain geographic features in a very small area within that large zone that if you only took readings from that area might put you in a much higher zone than what the gross of that area would be so again it is hard to say, I mean the only way you could really answer your question specifically would be to have a test and have one versus the other, so that would be like a return on investment type benefits. For any alternative energy you have the benefits of environmental impact, solar and wind don't produce any carbon emissions of any kind, they don't put acid into the air, they don't put mercury into the air or anything like that.

Mr. Brown: Yep those are quality reasons right there no doubt ok. Well thank you for the benefit of all the research that you guys did do and I said I know that this has been really hammered out over a time period and I know it is back in your court too.

Mr. Kuhlman: Well to tag along with what you are asking Jim for a commercial or for an installation of a wind generator in a commercial zone or even solar is much more advantageous tax wise than for a residential zone because it can be depreciated so there you are looking at an advantage and then I understand your point or I think where you are going is the repayment in power generation is it this much or is it this much to gage against what a lot of people that aren't here tonight but we have heard from a fair amount of people through email and letters that oppose wind generation in the Town any place.

If you are going to have the aesthetics of it is the repayment worth it, I think is what you are asking.

Mr. Brown: But I am actually not from George and once again I appreciate the amount of research and time that went into this I don't want to question John's ability to either get his tax breaks or get his depreciation or he is a business man you are right he has the option to do those things for that very reason, but I think if we are looking and I was looking specifically for, forget the tax breaks and all the other things that don't have something specifically to do with the environment, they are important but they are not what I am talking about I am talking about in terms of the environment and the amount of benefit that you can draw from a wind turbine that is what I am really interested in someone saying to me what is that, so I guess we just haven't really heard that per se, I mean I understand it is...

Mr. Speelman: (Inaudible).

Mr. Kuhlman: Wait a minute Sir you'll get your chance again John I promise.

Mr. Coakley: And again I really don't know on solar either.

Mr. Brown: But I think we've seen studies on that, I think there is research that is behind that that backs that from a viability standpoint in this area and I don't know if that is really even under question, I think that is a definite plus.

Mr. Coakley: And from a personal standpoint my only concern as a member of the Planning Commission and a taxpayer in town would be return on investment on whatever system the Town would decide on to implement at the water and sewer treatment plant or something like that because then that is my money.

Mr. Hoewing: We have been looking at that haven't we Wade and so far the wind generation doesn't seem like that...

Mr. Yost: Wind was definitely out.

Mr. Hoewing: So we have been looking at them very carefully.

Mr. Kuhlman: George has the Planning Commission been by your report tonight are they finished with the questions we supplied?

Mr. Coakley: Well this was your major...

Mr. Kuhlman: Yeah but I haven't heard the answer to the main question I was concerned with. If we allowed these solar farms for off site production, in other words every ounce of electricity created in the solar farm was sold back into the grid not used on the property, if we did that we are allowing a commercial business or industrial business to start up in the RDT zone, is that what the intent of the Planning Commission recommendation was.

Mr. Coakley: Yeah I guess it was because we agreed that a commercial solar farm would be allowable in the RDT.

Mr. Kuhlman: Did you guys talk about or even think about the fact that you are allowing an industrial type business on an Ag assessed property tax wise ok and the Planning Commission was all right with that ok.

Mr. Klobukowski: What did they come up to with respect to if you are changing the use of the Ag property I am assuming there would have to be some sort of difference of taxation with respect to the land value. I mean if I am sitting here and somebody says I am going to make x more dollars by using it this way versus the way it is destined to be used or is currently used as agriculture and they are going to make more money that way I am not going to tax them at the same rate as an agricultural land I am going to increase

the taxation on that property to match what the property is being used for, that is economic common sense and we want a return on our investment it changes stuff. Now with respect to impervious surface I am sure there are baffles that can be built in to allow the water to go back down into the ground etc., etc., because the panel isn't going to be like a asphalt or concrete pad they don't have to be on that and you can make the water drain a certain way I am sure that is for more detailed engineers than me, but again I would think that if we are sitting up here and we are changing the use of something I would think that there would be an appropriate change in taxation level as well, and what would the State and the County do as well.

Mr. Coakley: They would probably do the same thing the Town would do and that would be to come up with a special assessment tax for something for that type of use.

Mr. Hoewing: If you look in the use code there are a lot of special exceptions in the RDT that aren't rule, you can set up a baseball batting cage area if you want to in the RDT I'm sure that we'd tax differently but that is not our rule to worry about that too much although that could be helpful from an income standpoint for the Town.

Mr. Kuhlman: No I am just asking the question what their thoughts and intentions were.

Mr. Hoewing: Golf courses, golf driving ranges are allowed in the RDT they are all different I assume from a tax standpoint.

Mr. Coakley: And shooting ranges are. So if someone were using that application and their entire property was zoned or assessed at an agricultural level than I would think the Town could have the wherewithal to at least on that portion of the property being used for commercial endeavors to be taxed at a different rate.

Mr. Kuhlman: All right any more questions of George?

Mr. Klobukowski: Yeah currently I think there, I don't know if there is a misunderstanding or not but the power generated by the wind turbine solar whatever that's generated only goes against your electric bill, they aren't paying you for any kilowatts above that, you may get a credit for it but right now basically the meter goes in reverse when it is generating and then it goes forward when you are using more than you are generating so...

Mr. Coakley: Well it depends on the State and it depends on the specific power company and what agreement they have with the State oversight for it, so that differs from place to place in the Country. But the person in Michigan that has the 2 kilowatt system on their house they said that they produce 46% of their power.

Mr. Klobukowski: That is a solar system right.

Mr. Coakley: Yeah with a solar system.

Mr. Klobukowski: What about recycling those and the hazardous materials, the things they are made out of are recyclable as well?

Mr. Coakley: I have no idea.

Mr. Klobukowski: I'm just curious.

Mr. Coakley: I mean most of the PD systems are made out of the silicon based product of some kind and now Dow came out and I just saw in Time Magazine where they got one of the 20 innovative invention awards for this year or something for coming up with their solar shingles and they said they expect to make 20 billion dollars or something off of them over the next 5 or 6 years or something like that.

Mr. Klobukowski: Make it a little slick for us Clark Griswalds climbing on the roof though.

Mr. Coakley: Any other questions.

Mr. Kuhlman: Any other Planning Commission report?

Mr. Coakley: That is it. We will meet again, we were supposed to meet last week and it was on Veteran's Day so it got moved to this coming Wednesday.

Mr. Kuhlman: All right thank you George appreciate it. Parks Board?

Mr. Brown: Oh that's me sorry about that. Well we had a limited audience but we had a very productive meeting I thought, lots of good discussion. We met last week we went through the Parks Rules and Regulations, we had a very well drawn out rules and regulations, Doug came up with a list of changes and a list of proposed changes that we all discussed, some had a lot of merit to them. And did we finish our discussion on that I guess you can take it from there, this was the full substance of our meeting.

Mr. McKenney: Doug McKenney 17117 Tom Fox Avenue also Parks Board Chairman. We went through two things, I had proposed some changes to the Parks Rules and Regulations kind of the day to day routine stuff much of that we discussed I had also included since the Skatepark will be coming online some point in the future trying to look ahead as to what we might want to do in that realm. I had taken a list of other rules and regulations from other Skateparks in the neighboring areas, kind of just dumped them in and said let's talk about these. We talked through many of them, a lot of it came out of the actual rules and regulations much of it that did come out went into what we would consider to probably be a good idea to put on a sign, just kind of some general safety sort of things. We had also spoken about some changes with respect to the Code and that was I had made some changes there again ahead of the meeting, we made some changes after the meeting, we had been advised after our October meeting but before our November meeting that the Commissioners were going to be looking at the Code so we kind of tried to scramble quickly, that apparently has set forth a firestorm of emails but that is probably another topic. The other thing we discussed was oh we had proposed the idea that, let me put this in context I am sorry, awhile back Stevens Park had been vandalized quite often, it had been painted the building and we would repaint it and it would get spray painted again, one of the things that we had spoken about during those activities was what was involved if we wanted to put some sort of a video monitoring thing in that park and to try and sway that sort of activity. In viewing the Skatepark as a new facility that is being built we thought it would be worthwhile considering a video monitoring system for that facility, one that we thought would be worthwhile would be one that would be capable of being internet excuse me accessed through the internet by anyone. Part of that rationale is the fact that Wade and Preston and all come in at 7:30 on a summer day and you are beat up by 3:30 and it is time to go home and I don't blame them but the light and the facility stays open until 9:00 and there is no way for anybody to see anything so if we were to put a video monitoring system that only fed into here there would be a significant amount of time that it would be left without anybody having the opportunity to view it. We also mentioned that there are probably a number of nay Sayers with respect to how and what will occur at the Skatepark, this would be an opportunity to present evidence to those nay Sayers that no this can function as a self policed operation and can be just fine. We had also pointed to the fact that Germantown is putting a smaller skate spot I think they are calling it in the parking lot of the Germantown Police Department and the Police Chief of that facility requested from the County additional lighting and additional video monitoring capability for that park, so we

thought that given the relative remoteness of our park that it would be worthwhile from several different angles to consider putting some video monitoring capabilities in that facility as we go forward in building it. Did I miss anything?

Mr. Brown: No you did good, better than I could do.

Mr. McKenney: Kurt did I miss anything.

Mr. Kuhlman: All right thank you very much Sir. CEDC Lori?

Ms. Gruber: They haven't met again yet but they have been meeting I guess on their sub groups for the Brew fest and they are working on dates it looks like May or June of 2011 for the Brew fest that they have been trying to come up with and I do see Brice Halbrook is on the group, I am not in that group, so I think they are working with the Poolesville Day Committee on that also as a fundraiser. And they are looking at different locations possible locations include Whalen Commons, the Golf Course, the Polo Grounds or Stevens Park so I guess they are going to be looking for input from probably the Town soon on rules.

Mr. Hoewing: When is the Lighting Ceremony?

Ms. Gruber: The Lighting Ceremony...

Mr. Yost: December 4<sup>th</sup>.

Ms. Gruber: Thank you.

Mr. Kuhlman: You didn't read your newsletter.

Mr. Hoewing: I didn't read the dates on it, I did read the newsletter.

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

Mr. Kuhlman: Ok, Town Manager's Report.

Mr. Yost: We started a couple projects. The Hunters Run pump station we have some valves we need to be placed in right next to the middle school so you will see some heavy equipment out there, probably about 2 weeks it will take them to dig up that portion of the main and put the new valves in. Parcel 840 behind Selby's we had our first initial meeting with stormwater management folks Rick Watson, LOD's (Limits of Disturbance) have been set up for the property where the grading will take place, silt fence will go in within the next couple of days and then initial grading will start within a couple weeks. Bandshell we are still wrestling with the County permit division over the structure, there was some confusion with some of the new reviewers, the water sprinkler systems and emergency evacuation, emergency doorways in an open building with no walls so we have taken it to their supervisor now who has assigned it to somebody else so hopefully we can work through those non-issues fairly quickly and can break ground on that. Holiday Lights the guys have started setting up overhead lights down through town, takes them a couple weeks to get all the lights and all the decorations up so we started a little bit early, so you'll see them out there and you will see things starting to pop up and that is it.

Mr. Kuhlman: All right any questions for Wade. All right thank you. Mr. Speelman would you care now to take the opportunity to answer the question that Mr. Brown raised?

Mr. Speelman: Yes I would love to.

Mr. Kuhlman: All right and thank you for being patient.

Mr. Speelman: No problem at all. I have been watching this thing when Wendy Reiger came up here and did her piece there was very little wind in Poolesville that day but his windmills were just zinging which was nice to see. The one on Cattail if it is spinning it

is saving me money, if it is spinning it is a plus even though and the meter will run backwards at night if it is a windy night the meter runs backward all night long and the next day I'll reuse that energy, you get a credit from Allegheny. Solar doesn't work at night ok, this is a very inexpensive way to lower my energy costs. I mean they wouldn't be popping up all over the place if they didn't work. I don't know if you have seen the one on Cattail it is a perfect example, its quiet, air conditioners in houses make more noise than these things do. The other thing I had a problem with was Bob and Calvin of course they live behind the store and they were against it ok so I am just trying to get a fair shake here, if I want to waste my money and put this thing up and it stays still ok I'm a fool but with the high school everybody is excited about this thing to look at my electric bills what does it do and we got to start somewhere, saying no is not the answer we got to start looking forward not being stagnant and then when they get to the small town character fine lets have some, nobody has asked me to come to the meeting, nobody said well this is the way we are going what do you think of this, I can do the vane one you know that looks like the old water pump but every day the winds blowing I'm losing free money, free electricity and I just don't think I have been given a fair shake I know you spent a lot of time on this but there is things we can do to limit this to one unit for one year and lets hey if it doesn't work I will be the first one hey it was a waste of money don't put them up but other people I think the High School was really excited about it.

Mr. Brown: John first of all I want to say once again I praise your leadership on all this and your battle to fight the fight I mean it has been amazing I would hate to own a hardware store in Poolesville the competition would be too much.

Mr. Speelman: I'm not in it for the money.

Mr. Brown: I understand that I'm not saying that.

Mr. Speelman: But a good fight, this is the right thing to do, this is the thing that just keeps blowing my mind I'm trying to do what the whole country is trying to do and I feel like it is an eyesore.

Mr. Brown: Well John you saw my email that went out and many, many people responded to it.

Mr. Speelman: I understand but I was always told my 350 people on my petition didn't count. Eddie Kuhlman always told me the people that we really listen to are the ones that come to the public hearings I had one opposed the Nessul's, one was I want more information and I think there was 20 people here that supported me and tonight I have support and that is why nobody has come to me and said John we are looking at this, I have been left in the dark in this thing almost a year, I have been very patient and if I want to waste my money and put something up that doesn't work that should be my ---.

Mr. Brown: Let me say this to you about that and here is my concern and I am not necessarily reflecting the views of the Commissioners and as I said I am if you, my green cred can't be challenged I am definitely one of the most greenest guys here, can't be challenged. What it comes down to is that if, we had significant opposition, we had significant in favor, significant in favor is blanket go green that is great so am I, significant opposition is based on noise, movement its not just stagnant but it moves, it has also based on aesthetics to some degree because there is people in this town that have not given up on the fact that one day we will take down the power line, one day we will have a CBD that we will be more proud of than we are right now, some people consider this to be a minus to that, not necessarily me but I am telling you that that is what the

people have said to us. Throw all that in together and then the fact that I have been asking for benefit for hard dollar show me the money benefit beyond this if you want to waste your money then that is ok, that to me is not benefit, that may have a financial implication for you, your taxes, your money coming back into the grid, I got you to that to some degree, but I say someone show me the benefit of having a wind turbine in the lowest wind area I guess I am simple or stupid I went to school in a very small school in West Virginia so things come a little slower to me but I just say if there is significant benefit, if there was obvious benefit beyond the absolute minimum due to the amount of wind that we have in this area I'd be all over it.

Mr. Speelman: Ok I agree with you 100% lets try it and see. I will put out all my electric bills from the previous year, we will put them all out after it is up a year and lets find out together. You are asking a question that I believe has benefit, this is an opinion, if it generates 1 dime less than I am paying now than it is a positive ok there is no negative to this and that is where you guys keep telling me there is overwhelming opposition.

Mr. Brown: We have not gotten overwhelming opposition, that is not true.

Mr. Speelman: Nobody has come to me and told me it's a bad idea.

Mr. Brown: Well John can I say something to you. You are beloved in this Town ok and the people that come in to your business are of course going to support you, they want their nuts and bolts and they want you to be happy to sell it to them.

Mr. Speelman: Should I put a sign up in my window "Don't Come In".

Mr. Brown: I understand that.

Mr. Kuhlman: Well let me ask you this John you made a very somewhat passionate statement about why you want to have this up at the hardware store. Is there one down at your farm?

Mr. Speelman: It will be.

Mr. Kuhlman: When?

Mr. Speelman: I don't know as soon as I get another \$20,000.00.

Mr. Kuhlman: I'm not trying to be a smart Alec to you but you saying that you have been endeavoring on this for a year, if you are that sold on it I know your wife runs a horse operation down there and you run a school out of the barn.

Mr. Speelman: They are all agricultural. I am not paying the rates I do not have commercial rates down there, I have them here. My light bill at home is \$200.00 a month, my light bill at the store is \$800.00 a month ok. At night I would always get a credit but I am not ready to spend \$20,000.00 down there for a minimal return, here I will see the benefits, I will see the savings, every night it is blowing wind I can lay in my bed and smile that my meter is running backwards at the store. I may have to start closing the store early at night because of the light bill. I have more lights on now and next months light bill will be \$1,000.00 because I have got all the lights on in the parking lot so people can see. If I start closing the store at 6:00 because I can't afford the lights that's an option. I mean this is a win, win, win situation for everybody, the Town can come up with information, you all can get off the hook by having one as a test period and see if it works, we've got the school that was going to do studies and tell me how much money I can save, when I won't save, when it will be not moving, but when I drive down Cattail Road and see that thing zinging every day I stop and look and that is costing me money. So I don't know how much money I am going to save, I just know at night my meter will be running backwards so I will be saving something.

Mr. Klobukowski: Well there is a couple things that astound me, if you say it is going to save you one dime most businesses will negotiate wages and delivery contracts down to one hundredth of a cent in order to make their estimated profit for a year so to me that is sort of I don't really, I know what you mean but...

Mr. Speelman: It is free electricity.

Mr. Klobukowski: I understand that but with respect to studying what you are saying I don't think anybody needs to study to see that if you have a bill one day versus the next and what the high school is going to tell you I don't know, if the high school is going to take a field trip it wouldn't be to your place, it would be either Pittsburgh or up around Corning, New York to see how they tie in 18 or 20 of these things into a distribution system, what are the safety requirements, how do they turn it, what happens when the grid goes down, how is the backups, all the other stuff that is attended with it, it is not more than just, it ran for 18 hours at 20 miles an hour generating this many kilowatts, I mean that is super math.

Mr. Speelman: That is a great idea but this way they can just walk across the street, the kids from the high school can come over and look at it, watch it, investigate it, put a wind speed meter on it, so we know that a wind blowing at this speed, this is how much money it will generate, in March if the wind speeds are up this is how much money, in August if there is no wind it is going to be zero, so I want to learn too, but everybody at the Global Ecology Program thinks this is the greatest thing that's ever happened. What else has Poolesville done to save energy in this Town? What other programs have come up that...

Mr. Klobukowski: So they are going to generate wind profiles and generation cost...

Mr. Speelman: They are going to use mine as a lab.

Mr. Brown: Just one other point and John you just made a good point there. The Town actually has and is in the process of investigating alternative energy that will benefit the Town itself too, so it is not just that we are sitting on our hands or saying no. I mean I am sure that Wade can go into more detail but we have seen numerous studies there is ongoing research we are going to try to figure out a way to use what we have here in the Town in order to be, develop alternative energy strategies that will benefit the Town, benefit the people of the Town too so its not just, we are not just sitting on our hands there is a process that is ongoing.

Mr. Speelman: I was told after the public hearing, after all the positive testimony that the Planning Commission got it back and didn't change a thing, they did not revisit my issue not being changed. What was changed anything?

Mr. Coakley: Well we sort of put it on the back burner because it is the most controversial. We started looking at the solar and to answer the questions the Town Commissioners had about the size, footprint and that sort of thing.

Mr. Kuhlman: Ok anything else John?

Mr. Brown: Thank you once again.

Mr. Speelman: A good fight is worth fighting isn't it, I am not going to let go of this, I would just like to know what is going on.

Mr. Kuhlman: Well when we get there you will be the first to know.

Mr. Brown: And you contributed tonight and I appreciate it thank you.

### **Citizen's Forum**

Mr. Kuhlman: Citizen's forum anybody? Yes Ma'am.

Ms. Breiner: Hi Joyce Breiner 2 Hackett Court Poolesville. I have been listening to the discussion this evening and just wanted to make a couple of comments. First it seems like the main thing that you guys were, I'm sorry that the Commissioners were asking about was what is the benefit of a wind energy system and my thoughts on that are what do you define as a benefit. I think part of that answer is benefits to the owner of the system is a 15 to 20% reduction in his energy needs, in energy gotten from the electric company, he gets power he doesn't buy, he doesn't emit carbon as much carbon into the atmosphere and as he very eloquently put just a few minutes ago the teaching tool both in the business aspect and personally and for the community and for the school. Regarding the negative noise was mentioned once again and I agree I drove by the wind turbine on Cattail one day it was turning, I can't remember how fast it was turning but it was definitely turning and I just pulled over the car and turned down the window and I had to strain to hear it I really did so anybody that really says there is a noise problem I ask have you gone to listen to one. And I don't know about movement and but basically I think the benefits have to be looked at from the owners perspective I am not sure if you meant broader than community benefit, I'm not sure where you are at with that.

Mr. Brown: Well I will give you a little bit where we are at with that. The benefit to the owner understandable from both energy that has been regained to tax credits to whatever reason I mean it does come down to the dollar and I appreciate Johns altruistic direction on this too and willing to serve as a lab etc., but the benefit really has to be, we have heard from a significant amount of people that had an issue with the idea of not just a static pole that would be bigger than just about any pole in the Town but a pole that moves, a pole that does generate some sound, and there is also safety concerns that have probably all been hashed out and are probably not factors but we did hear from those people and it was in a roughly 50/50 direction to it and I think the Town wants to do their due diligence in determining that ok there is some trade-off, some trade-off there is people in the Town that are opposed to it for a number of reasons so there has to be some benefit that can be gathered that is verifiable and documented and has meaning and I guess it just keeps coming back to our Board as well as the Planning Commission you know George he didn't duck out of here yet but the Planning Commission that zero lowest possible wind zone what is the benefit for the fact that there will be some sort of trade-off within the Town, so I am all about the leadership and I'm all about the idea behind it but we represent everybody and I wrote you and you and I have had good discussions about this in the past, that is where the concern comes from, so by the way it is not settled yet either I hope everybody knows that.

Ms. Breiner: And I very much appreciate your comments and respect them I'm still not quite clear if we are talking about benefit to the community.

Mr. Brown: Definitely not to the community, does not have to be the community, has to be somebody of substance.

Ms. Breiner: Well I am not sure why a homeowner has to prove benefit to themselves in order for it to be approved by a government and I am not clear on that.

Mr. Brown: Well since we have such a small audience here and I don't want to keep us all night but I will give you an example. If and my fellow Commissioners probably just want to cut my legs off because I talk about this all the time and they tell me to knock it off, but say you had a company that, say you are a pizza company here in Poolesville you are Cuginis and you wanted to put a 20 foot wide pizza on the end of a pole behind your

building that spun and made noise and but also generated a benefit to your company, would you as a resident of the Town say that is that pizza just signifies environmental progress to me, you know this is a great thing for the Town I mean seriously would there be a lot of people standing up you know something I take it back people love your pizza, they eat at your pizza place all the time of course they are going to support it, so I am not comparing the idea of a wind turbine necessarily one to one to a pizza but in affect that is what we are saying, we are going to put a tall pole up, we are going to put something on it that spins and makes noise and there is people that are opposed to it for some aesthetic reasons, those are the trade-offs that we are talking about and look Eddie is probably ready for me to stop now.

Ms. Breiner: And I will too but you are saying basically you are looking for fiscal benefit...

Mr. Klobukowski: Well there is more to it than that you can't just say all right anyone who wants to put a wind turbine up put a wind turbine up, what about the neighbor who has a tree and it happens to be right next to the optimum location for this one person's wind turbine is that neighbor which may have this tree which gains some energy efficiency because the tree shades the house in the summer from the sun going to be willing to cut it down or trim it, trees grow, wind turbines don't I mean so what are you willing to do when you say same thing with solar, trees, neighbors shrubs there has to be some sort of order to this so that people understand what they can and cannot do and not just --- way of going about it and anybody can do anything they want then you end up with chaos and then you end up with neighbors going at neighbors and I don't want to be in here or I don't want any other Commissioner to sit here and go through some of the stuff that we have gone through, that we clearly should not have been involved in if the laws were written differently and I think you have to show some forethought to ensure what is done, the final product will stand the test of common sense, logical reasoning and long term and then we don't have later on going oops we should have done that or oops we should have done this. Like Jim's pizza I can think of two other things that make you want to stand up and salute literally, Ourisman Chevrolet and Chriswell Chevrolet what have they got, they got two of the biggest --- that have ever flown probably in the United States well who is going to deny someone from flying the American Flag but they know it is a great draw and I love seeing it every morning going to work.

Mr. Kuhlman: Well let me finish this up hopefully, for a non agenda item we have spent a lot of time tonight but let me finish this up by not every Commissioner is weighing the benefits of the repayment against the project, there are some Commissioners that do not care about that and realize and sense that it's the homeowners wallet, if they want to spend \$100,000.00 and take a million years to get the money back that is their business not ours, there are Commissioners sitting behind this desk that are looking into this solely for does it fit into the character of the Town, is it safe for the neighbors, then there are other Commissioners that are looking at does it pay back so anyway hopefully that answers your question.

Ms. Breiner: Yeah one more thing there was a comment made about solar farms and did I mention that I saw something a while back on a news program or something that in Germany they were actually paying farmers to put up solar arrays that they could use along with cattle or something so it was a mixed use of the land they were still...

Mr. Brown: Yeah I think we saw a picture of those.

Ms. Breiner: So I just wanted to mention that.

Mr. Kuhlman: All right thank you.

Mr. Klobukowski: I have one question I meant to ask...

Mr. Kuhlman: Hold your question.

Mr. Klobukowski: No I have a question I meant to ask during the town manager report, in recent 9 November MML Bulletin that we got there is a thing about Federal Government mandates reduction of water pollution and that the Executive Order on the Chesapeake Bay protection and restoration calls for new accountability framework that guides local water quality restoration efforts, the expectation is a component of the Chesapeake Bay total maximum daily load which will set pollution limits for point sources and non point sources contributing nitrogen sediment to the Bay in rivers and that the EPA has some sort of press release out, have we seen that press release Wade, has John Strong looked at it, anyone looked at it to see if there is any inkling as to we are going to this ENR is this going to be...

Mr. Yost: That is our point source discharge would be the wastewater plant we are going to ENR the requirements they are really speaking of is stormwater discharges and the County would help the (inaudible). There is a hole for the discharge of the stormwater system and that is the system that they are concentrating on because the majority of the stormwater or the pollution that goes to the Bay comes from stormwater so we have a meeting next month with the County on this issue.

Mr. Klobukowski: All right is there any idea what we could expect to hear them say.

Mr. Yost: I think they are going to do a tiered system where you have to end up having some type of treatment in certain stormwater management ponds, different quality control.

Mr. Klobukowski: So who would foot the bill for that?

Mr. Yost: The County has the permit so they would have to do it, they collect the tax on it and everything.

Mr. Klobukowski: We hope. Thank you.

Mr. Kuhlman: Anybody have anything else? Anybody have anything on alternative energy that hasn't spoken yet. Mr. Speelman what else you got, need to come up to the microphone please.

Mr. Speelman: Can we put this out for a vote for the Town?

Mr. Kuhlman: If you want to wait until the next election that is fine.

Mr. Speelman: Can't do a special election, you did for Lori?

Mr. Kuhlman: You want to pay for the special election?

Mr. Speelman: No.

Mr. Kuhlman: \$3000.00.

Mr. Speelman: No don't want to do that.

Mr. Kuhlman: Thank you Sir have a good evening. Anybody else? Entertain a motion to adjourn to a work session.

### **Adjournment**

Ms. Gruber: Motion to adjourn to work session.

Mr. Kuhlman: Second anybody.

Mr. Hoewing: Second.

Mr. Kuhlman: All in favor?

All: Aye.

Mr. Kuhlman: We are adjourned.