

**POOLESVILLE PARKS BOARD
MEETING OF SEPTEMBER 8, 2010**

PRESENT: JEFF MCINTYRE, KEVIN CARMACK, BUTCH ZACHREL, KURT BEHREND, TIM PIKE, JIM BROWN AND DOUG MCKENNEY. ALSO PRESENT WAS TOWN STAFF, PRESTON KING, AND TOWN MANAGER, WADE YOST.

Call to Order

Mr. McKenney: Call to order the September 8, 2010 Parks Board Meeting. Present are Jeff McIntyre, Kevin Carmack, Butch Zachrel, myself Doug McKenney, Kurt Behrend, Tim Pike, Jim Brown, Preston King and Wade Yost.

Announcements

Mr. McKenney: First order of business is the next meeting is October 6 at 7:30. Any other announcements before we move on?

Approval of Minutes

Mr. McKenney: We need to approve minutes for both the July meeting and the August meeting. So Butch, Kevin or Kurt need to make a motion for July.

Mr. Behrend: So moved.

Mr. Zachrel: Second.

Mr. McKenney: And it is kind of the same group. It has been moved and seconded that the minutes for July 7 be approved all in favor signify by saying aye.

Mr. Zachrel, Mr. Carmack, Mr. Behrend, Mr. McKenney: Aye.

Mr. McKenney: Opposed, none. Abstentions.

Mr. McIntyre, Mr. Pike, Mr. Brown: Aye.

Mr. McKenney: Then the August 4 minutes were very, very quick, yeah let these minutes reflect that for the August 4 meeting that Tim Pike was present.

Mr. Behrend: Moved as amended.

Mr. McKenney: It has been moved.

Mr. Zachrel: Second.

Mr. McKenney: And seconded. All in favor signify by saying aye.

All: Aye.

Mr. McKenney: Motion carries any abstentions?

Citizen's Comments on Agenda Items

Mr. McKenney: Well we have some citizens with us today do you folks have any comments on our agenda items. Permit young man?

Mr. Klobukowski: No I have a question.

Mr. McKenney: On the agenda?

Mr. Klobukowski: No.

Mr. McKenney: Sit down.

Mr. Klobukowski: Jerry Klobukowski, 17300 Fletchall Road. I was wondering how many of you have been to the skatepark and looked at it recently.

Mr. McKenney: I went up there probably in the first month it was built and actually walked around, other than that I drive by a lot.

Mr. Klobukowski: I would recommend you guys look at it because the thing called the saucer has got multiple cracks, everything is cracking, which I find as I mentioned to the Commissioners at the meeting last night, I find rather disturbing as one the company who manufactured the skatepark supposedly knew what they were doing number one, number two with all the cracks that it has got it seems like it is deteriorating faster than I would expect it to and I talked with a gentleman over there who is a filming some other skateboarders on Saturday and asked him about the dimples where the board goes up and hits the surface and creates little dimples and surface fractures of the concrete and he said that is normal, so then I asked him about the cracks he said he was surprised for the age of the park versus the number of cracks it had, which indicate to me that it was not something that is to be expected in something this new, so I don't know I would recommend you guys look at it. The other thing was I have a question with respect to consequences, if you have a sign there that says people have to have helmets, kneepads and other accoutrements to skate along with their skateboard, what is the penalty if they don't because when I was over there on Saturday there were about 15 kids and about 13 of them didn't have any helmets, now we could argue that that is their parents responsibility, its something else but that is one of the reasons why I thought the place should be manned to ensure that the kids who use the skatepark are relatively protected wearing the right gear to protect them from any falls and stuff and I just can't understand the concept of somebody wanting to go up a concrete and then accidentally fall like I saw this kid do and skid across the concrete, God bless them that is all I can say and I hope their bones mend fast but I would like to know have you guys considered that aspect of it. And also I know and Wade can tell you more about some of the little things that have been going on there with respect to trash and everything else. And Friday night I chastised some skateboarders severely and asked them to move their --- from in front of Cugini's because when I came around the corner off of Fisher they were right in front of Cugini's and I found it rather the car in front of me had to stop and they were standing there looking at the car and they decided finally to mosey on and its like again I know Jim went out of his way to tell the kids the day that the skatepark was dedicated mind their manners, show respect, now you have got it etc., and again what are the consequences, what are the consequences, now I know they are not going to stop skateboarding when they leave the park they will probably skateboard home and everything else but I don't expect them to come into Selby's parking lot which is a busy thoroughfare on a Friday night and disrupt traffic and possibly come into some sort of harm on their own and I don't think that that is acceptable but again that is me. So I would recommend you guys go over and look at it, the kids are amazing they do some amazing they do some amazing things I will admit, like I said their resiliency I hope they mend fast but I think something needs to be done to make it, and the thing with the aspect with the and I will shut up here the aspect with the safety gear is I am not trying to bust butt or jump on anybody's back but I am concerned that these kids will hurt themselves and to them it is acceptable I understand they are young and they think they are indestructible but as I mentioned to a couple of bikes, kids on bikes who were also in front of Cugini's and didn't want to move, you know you might think you dodged a bullet and only get a broken leg and laugh at it but if you don't dodge

the bullet you won't be around to laugh at anything and I think it is up to us as adults to act like adults and to raise this behavior what its contrary to what would be the safety norms, to their attention. And that is all I have to say and I'm going to shut up thank you very much.

Mr. McKenney: Thank you Jerry. Well since he brought up a couple items, I remember hearing, I think Jim, Jim or Butch at the last meeting made brief comments to cracking or something like that and I thought we were told that was normal or not but I'll look to Wade because I am sure...

Mr. Yost: No we have been, John Strong our engineer has been working with them. What it is is surface cracks, as they put this concrete in they actually vibrate it so the air bubbles come to the surface and it causes it to be a little thinner than the body of the concrete and so you can get surface cracks on it. It was so hot during that time period that maybe they should have put down some wet filter cloth or something like that, you can't really get it sprayed with anything because the concrete is a little bit different than a sidewalk, sidewalk like we have been building in Town get sprayed with a sealer as they go which removes that component from cracking on top. They did come back and they ground it down and it is about an 1/8 of an inch grind and the crack disappears so it is just on the top and they caulked it. It does look bad and we are watching it we do have bonds on the park so it is a one year maintenance bond so within one year and John is actually his neck is in the ring and if he didn't make a good report and that we need to get it replaced at that time but the coin they call it or he called it something else the other day, the one that goes up on the wall.

Mr. Zachrel: Saucer.

Mr. Yost: Saucer some of them call it coin or saucer.

Mr. McKenney: Is that that freestanding one.

Mr. Yost: Exactly. That is the one that had a lot of cracks and if it comes down to it we will force the issue and make them replace it, that takes care of the crack thing. As far as the enforcement of helmets and things, that is almost an impossible task if we don't have somebody there watching the park and giving tags to put on helmets and enforcing it. I don't know what to say about that.

Mr. Behrend: As I recall that was a Commissioner level decision. I believe our recommendation was for a manned park.

Mr. Yost: Then the trash thing.

Mr. McKenney: Yeah I know there was a problem early on but I thought that...

Mr. Yost: It was getting better during the week but then last weekend...

Mr. King: Last couple weekends we have taken pictures of it and actually Wade and I we will have some new signage put up and one is going to say if the trash is not put in the receptacles the park will be closed for a week.

Mr. Yost: We'll shut it down in weekly intervals.

Mr. King: We'll close it down because I have personally talked to them on several occasions they'll clean up right then and then the next day and we put a trashcan in there trying to but that is kind of hypocritical because there is a sign saying nothing beyond this point, so we said we will put a can there well they don't even use the can, now we took the can out...

Mr. Yost: Put it by the entrances and will try...

Mr. King: And I have had several talks with the kids.

Mr. McKenney: So is the issue because I know early on the issue was I think at first we didn't have one, then we had a couple plastic ones that weren't attached and fell over and whatever but then we put more heavy ones or more semi-permanent ones and it looked like that took care of it at first right.

Mr. King: It's been slowly building and building.

Mr. McKenney: And they are just not using it?

Mr. King: They are just not using it. They are using it but they are, its not even the volume I mean like half a can so somebody is using it but then it is just throughout the park.

Mr. Yost: They carried logs in and put them in the park to jump out of a back yard I believe.

Mr. King: 50 lb logs, I'm like how in the world but I forgot I mean when you are 16 and 18 you can do things like that. But they had logs in there and the bikes are just ripping it up, absolutely and there is going to be an accident with a bike, when I came in today I just drove by and there was 4 bikes in there with probably another 10 to 15 skaters and that is a bad mix. It truly is.

Mr. McKenney: Yeah I mean when I drove by on the way here tonight there were 4 or 5 bikes because I counted because I saw 4 go down one way and 1 come back up and there were skaters but it looked as though they were kind of waiting maybe not entirely but my concern is that the bikes would chew up the edges right?

Mr. King: The pegs will catch on stuff and I am trying to get a repo ire with the kids and a lot of them are very positive but the skateboarders are like man the bike guys are just they even say and when a skateboarder says its dangerous its got to be dangerous because they don't worry about a whole lot and if you got the bike click and the bikers are like I am going to do this and then the skateboard people, the skateboarders have a beautiful flow it really is, they are watching each other, and they watch the young kids but as soon as the bikes show up it is different attitude all the way around. How do you control it?

Mr. McKenney: Is there a way to put pylons or something so in order to get in you would have to serpentine through and you'd be able to get in with a board but not a bike. You would have to bring it all the way up to the top of the fence.

Mr. Yost: I'm sure there is a way.

Mr. McIntyre: Instead of the regular wide opening you would just have pole, pole, pole and nothing is wide, there would probably be some ADA issue.

Mr. King: Yeah you couldn't get a wheelchair in there.

Mr. McKenney: Does that facility need to be ADA?

Multiple Conversations Taking Place

Mr. King: But the thing is though at the last meeting things were going well and over the last month and like I said talking to the skaters and they say there is a lot of outsiders that are coming in and I talked to the boys one day they cleaned up nice, they said look we can only do so much we got a lot of people coming in here now and I see a lot of kids during the day. A lot of Virginia tags over there with older kids. So its kind of moving in a different direction, it was going fine and now it has kind of just taken a direction I don't know how we are going to try to get it back in balance.

Mr. Brown: Get it right back in the other direction.

Mr. King: Yeah we tried to do something and parental people involved, I don't know that's just my observation through the summer and the last month just truly like that.

Mr. Brown: I like the signage I know the signs aren't going to deal with the bikes but I absolutely have zero problems I mean I can't speak for Butch but I don't have a problem with shutting it down for any length of time if people aren't following the rules period. I don't think you can go back to I believe the helmets are a parental situation but in terms of the bringing bikes in or trashing the place I have zero problem explaining that to those guys and talking to people.

Mr. King: I think if the kids lost it for a week and then there was a little meeting and say anymore trash and if the bike people get on here kind of put them in self policing thing and then they realize we are not BS'ing around you know what I am saying, they lose the privilege for a week I think it would wake them up a little bit.

Mr. McKenney: I think you are right. Can we do the same thing with bikes?

Mr. King: I'm saying if we shut it down for bikes, the skaters would guarantee they would kick the bikers off.

Mr. Yost: I don't know.

Mr. McIntyre: Butch has got the most experience with all of this he has been to multiple parks I would think he has probably experienced some of this, what are your thoughts.

Mr. Zachrel: Well one thing would be with the out of town people that will die down because it is a new park everyone is going to come out and experience it and it will pretty much die down. With the bikes yes the skaters will police it and I think I agree with Jim you shut that thing down for a week and the skaters will start going get out, just get out. Confrontation there is going to that sooner or later anyway. I think it is already there with the bikes.

Mr. Brown: We just have to let them know why we are shutting it down.

Mr. Zachrel: Exactly.

Mr. King: There is a sign being made why the park will be closed. And that will go up until it is closed, we made it to be removable.

Mr. Zachrel: And then we start building a dirt bike track.

Mr. King: And then we could probably have something posted online, closed down trash and bikes.

Mr. McIntyre: Well I think if you do close it though as well you should also put a sign out ok it is closed this week, whatever halfway through the week, we will have a meeting at Town Hall for anybody interested who wants to talk about why it was closed.

Mr. Zachrel: And we can put down why it was closed.

Mr. Brown: Fine by me I will gladly talk to them any time.

Mr. Zachrel: And as for the skaters in front of Cugini's, since Cugini's open they have been there, Cugini's the owners never had a problem with it, I know I was accosted in front of Selby's to have them moved, but I don't enforce Town rules, certainly I don't enforce anything on private property, so obviously I am not going to go up and try to shoo them away especially when Cugini's doesn't seem to have a problem with it at all. And it only seems to be 1 or 2 people that may have an issue with it

and since the owner's didn't have an issue and again I don't enforce Town rules without any Charter change and certainly not on private property and certainly didn't need to be accosted in front of Selby's with a bag full of groceries and my kids, especially by a Commissioner.

Mr. Klobukowski: Can I make a statement on that? My father ran a small business, he had to put in a sidewalk down a hill because the Town made him do it and he had to pay for it out of his own pocket, he had to put the railing in, put the sidewalk in, maintain it, I know because I had to end up painting the railing all the time. Kids used to sled down the sidewalk in the winter because it was a nice hill, it was a good sledding place, he had no compunction of going out and doing it, however his main objective was his business not to watch kids. Cugini's that night I was there was very busy and for a business owner to have to come out and take time from his clients to continually tell young people they shouldn't be there, isn't his job really, he shouldn't have to do that. Bottom line is the children and they are children need to show respect for the people and a business owner shouldn't have to come out of his shop every 5 minutes to shoo people away, my father did it, but I guess things were different back then because we listened if my father said something the kids listened and didn't do it. So maybe the dynamics have changed or whatever but the bottom line is a shop owner shouldn't have to come out and chastise young children because and take time away from their clients and their business, that is their business, and to me that is incorrect.

Mr. Zachrel: When I talked to him he said he didn't have a problem.

Mr. Klobukowski: Pardon?

Mr. Zachrel: When I talked to him he said he didn't have a problem with it.

Mr. Klobukowski: I know some of the customers were concerned about it and some of the customers asked the kids to move because one lady told me she asked them to move and she didn't quite care for their attitude, but that again.

Mr. Zachrel: I didn't care for the attitude of the Commissioner who accosted me in front of Selby's.

Mr. Klobukowski: Well I think bottom line when you see something that is a dangerous thing that could lead to someone being hurt in a serious manner, I think you have to step in, you don't just stand there and say after it happens oh my god we should have done something, at that point its too late, the accident happened, the kids hurt, the driver is upset, they are worried about what is going to happen to them, I think you have to step in, if we don't want to act like adults then we shouldn't, understand that, but I think we have a moral responsibility, a responsibility as part of running this Town to interject ourselves as...

Mr. Zachrel: I don't run this Town.

Mr. Klobukowski: When we see something that is dangerous...

Mr. Zachrel: I do not run this Town.

Mr. Klobukowski: Ok all right I understand that, I understand that ok thank you.

Mr. Carmack: I would just like to add one comment about the shutting down, the shutting down might actually help the issue of the kids that are out of town also, if they come all the way out here once or twice and it is shut down, I don't know how they know if it is or isn't.

Mr. King: Twitter and Facebook.

Mr. Carmack: But if they did make a long ride out, but you are right I think you look as close as this weekend with respect to the trash and the bikes and you just lock it down. I mean they got to know that you are serious and that its for I mean if the skaters are the ones that are also complaining that the bikes are chewing up the facility and that is something you are talking about then be ready to shut it down after this weekend.

Mr. Zachrel: Can we put a warning up?

Mr. King: There are 2 signs, one is going to be permanent saying if the trash is not put in the receptacle the park will be closed.

Mr. Yost: That will be up all the time.

Mr. King: That will stay up. And we are going to have another sign that is going to be removable, park is closed due to, anyway we got 2 signs being made and then once it is made I'm sure that they will be calling Town Hall and Wade can probably post something on his website that there will be a meeting on skateboard park closing and then we will handle it from that. I think they will get it. And like you said when all them young kids are so electronically done all of a sudden it will just take a couple things and they'll be like we got to get the trash and we got to get the bikes out.

Mr. Brown: Well how bout this, just one other question on the bikes I mean in order to have the skateboarders have the mechanism to report the bikes or the place gets shut down, I know that we don't nobody wants or anticipates a physical confrontation between the bikers and the skaters but we may want to have...

Mr. Yost: Well what are we going to do about it?

Mr. McKenney: You have that extra sign you could put it out as a warning or maybe just make up some sign that says rules, I don't know bikes prohibited.

Mr. Yost: Trash is easy enough but the bike thing and the helmet thing...

Mr. Behrend: Short of having somebody there all day Jim, the moment that person, Preston, Wade, you whatever walks away bikes are right back in.

Mr. Yost: And we shoed them out but some of the guys I know a couple of them actually, they are 20 year olds that are in there and they have actually tried to give our guys some grief.

Mr. Brown: Well I am fine with it, make the sign and then make sure that they know why the park is closed and include because there is bikes in it.

Mr. McKenney: Yeah I'd say bikes are prohibited, continued use by bikes will result in park closure.

Mr. Brown: I know you guys have already ordered the sign is there anything else to be added.

Multiple Conversations Taking Place

Mr. King: The trash that is the biggest issue.

Mr. Yost: We got to spend a half an hour every day trying to pick up trash.

Mr. King: And Monday mornings.

Mr. Behrend: I may be the harsh one but I suggest that we already have a sign up there that says no items (inaudible). We told them the second I'm sorry...

Mr. Zachrel: I can tell you all you are doing is stop or I will say stop again.

Mr. Behrend: If the park is closed they will get the message.

Mr. Zachrel: We are giving them an opportunity.

Multiple Conversations Taking Place

Mr. Zachrel: If you want to take issues with that, you know we have all sorts of signs at the park that people don't adhere to, we can't shut down every single park without giving them a chance.

Mr. King: And the thing is the last Farmers' Market I went over there about 7 or 8 kids over there and I went over at like 5:30 before it was dark and I said guys if it doesn't stay clean I am going to close the park down and before I left they had started picking it up, when I went back Sunday morning, that was Friday, Saturday morning the park was spotless so there is a group of young kids that are willing to do it and it is just hopefully we can get the rest of them motivated to do it. Because those are the kids you want in there, but there is a group of kids that are just and the graffiti...

Mr. Zachrel: Where is the graffiti?

Mr. King: You know that big round thing well they got the monster stickers on it and the Pitcrew stickers and now they have some drawings that have human anatomy on it.

Mr. Brown: Are they chalk?

Mr. King: No magic marker. It is slowly creeping in that is what I am saying.

Mr. Brown: Its ok with me right now if you shut it down today then, get the sign up and do it.

Mr. King: We have the sign ordered.

Mr. Yost: We could actually put a sign up tomorrow. I will make the sign that way if it is dirty Monday when we come in its shut down for the week.

Mr. King: Exactly temporary sign up.

Mr. McKenney: I think that is reasonable.

Mr. Yost: Yeah me too.

Mr. Brown: Is your temporary sign warning the park is in danger of being closed down due to...

Mr. Yost: No if trash is not picked up the park will be closed. The bike thing I am not even going to worry about that right now.

Mr. McKenney: Well they are going to fall this way or that way anyway but I am more worried about it tearing up the edges and stuff, you can't go back and like tuck point those you got to redo the whole thing right?

Mr. Yost: Or just put the steel edging on them I have no problem with that at all.

Mr. King: The pegs are catching into the concrete.

Mr. Carmack: Or one of the skaters getting hurt you would care about more than breaking up some of the concrete.

Mr. McKenney: Yeah although I don't know that a bike going down is any faster than a kid on a skateboard going down is it, yeah but it is so short I don't know that the momentum actually gets up there. I don't know ok. Anybody else have anything on this, all right so let us know how that goes, yeah keep us in next week and all.

New Business

Mr. McKenney: Park permits. So I guess there is one that is not in your packet and we will start there first. It was done online and it was this is for the Poolesville Baptist Church they are going to have Sunday Service there on September 19 so they are looking for use from 8 to noon or something.

Mr. Yost: Something like that.

Mr. McKenney: I don't see hours in here but they also want to show up Saturday to do sound checks and kind of do a rehearsal this that and the other thing, so they are basically looking for Saturday and Sunday for the bandshell and Whalen's Park for Sunday. There is no conflicts and no other requests.

Mr. Zachrel: Make a motion to approve.

Mr. Behrend: Second.

Mr. McKenney: It has been moved and seconded all in favor signify by saying aye.

All: Aye.

**Mr. McKenney: Any opposed? I suppose I should abstain so anyway it passed. Ok next one Potomac Pedalers of Montgomery County this is the race permit October 2 anybody here.

Mr. Leedy: Hi I am Tom Leedy and I am here for the...

Mr. McKenney: If you can sit down and start over again and introduce and name and address so we get it for the record.

Mr. Leedy: I am Tom Leedy, I live at 15720 Comus Road in Clarksburg and I am representing the Montgomery Countryside Alliance and Potomac Pedalers and we made application for a bike ride that would start and terminate here in Poolesville. We have a permit with the County to use the high school parking lot and there I guess Johnny on the Spot facilities out there. And basically it would be various rides that would vary in length from 17 miles to 68 miles and the primary end of it would be at Kingsbury Orchard where they have a picnic, then they come back. So we promise we won't get in the skatepark.

Mr. McKenney: You want to ride through.

Mr. Leedy: These are \$400.00 bicycles we don't want to do that.

Mr. McKenney: You've done this before right?

Mr. Leedy: We have done it for the past 2 years. The first year was kind of a bust because we got rained out and last year we had about \$250.00 or so show up.

Mr. McKenney: So I am looking at the form, have the security deposits and checks been submitted, I don't see anything checked here so I don't know if that is a function of us looking at...

Mr. Leedy: I'm not even sure I have a copy of the form.

Mr. McKenney: Well I can let you take a look at mine.

Mr. Leedy: Ok.

Mr. McKenney: Up in the top left corner is a fee and then top right corner is the security deposit.

Mr. Leedy: Ok I could make good on that tonight if you wish or whenever.

Mr. McKenney: It probably would be yeah might as well if you are out here. The reason the fees are the fees is that the reason for the security deposit is there was an organization I don't remember who and even if I did I wouldn't say right now that came out and drew with paint arrows all over our streets and they stayed there for awhile, so one of the things that I know you have attached the criteria and the permits and the rules and stuff, one of them is that if you do do any lining or directions on the ground that it be done in paint or chalk that will wash away. The other question is are you going to have people directing traffic and or bikes or Montgomery County Police Officers doing that or what?

Mr. Leedy: There will be people from Potomac Pedalers there that and generally they travel in packs so they are fairly obvious on the road to motorists. But I don't believe there will be people stationed along the route. The route will be marked but not manned continually along the route, there will be points where bikers can stop and get a drink or whatever.

Mr. McKenney: How many participants do you expect?

Mr. Leedy: Probably around 250 we had about 250 last year. Did they make any representation on there?

Mr. McKenney: It is I was scanning it and kept missing it, it is right here yes.

Mr. Behrend: None of these are going through any of the neighborhoods, really it is staying on the major roads correct?

Mr. Leedy: That is correct they will go out here and probably go down...

Multiple Conversations Taking Place

Mr. Leedy: Which is the townhouse parking lot.

Mr. Behrend: That is true.

Mr. Leedy: Then you come up through Cattail.

Mr. McKenney: Yeah here I will show you what we are talking about if you want to come up here and I will give you mine. Right here this Kohlhoss that's basically, it's a road but basically it is parking for townhouses on both sides, so if you nix that part instead go this way you will still pick up everything and this is just all Cattail Road and this goes around the Elementary School so you are going to have less traffic and obstacles and everything there anyway and since you are going...

Mr. Behrend: Yeah the one trick you got is you are coming onto Fisher right at Cattail to get over to Wootton because I understand why you are doing Kohlhoss to Wootton because you are avoiding getting on Fisher which is going to be a lot of traffic.

Mr. McKenney: Yeah it will be filed down real narrow on that so you would be better off to take that route.

Mr. Behrend: That is one spot at Cattail and Fisher that you might want to station somebody because you can direct folks toward the school.

Mr. McKenney: Cattail and Fisher is right here. When you go back home tonight you are going to come from right around in here you are going to go down Fisher and you are going to see at the turn right by CVS here that is that turn we are talking about so you are crossing over so there is that turn there is a big wide intersection you are going to have to cross through, which is not a problem so long as you know about it and as long as you maybe have somebody helping there.

Mr. Leedy: Ok.

Mr. Carmack: What am I missing, what exactly is the route? I mean does it start at the high school and go see what I mean am I missing something here?

Mr. Behrend: Yeah there is no real circle it is all...

Mr. Zachrel: It is out of town and comes back in.

Mr. McKenney: Well that is what I am wondering, if it was 17 on the short side and 68 miles on the long side some of it has got to be outside of this map, is that right?

Mr. Leedy: Sure yeah it goes around Sugarloaf.

Mr. McIntyre: How far is the total ride.

Mr. Leedy: The longest is 68 miles.

Mr. McKenney: So somewhere you'd go off the map on Westerly Road out to River Road maybe and around probably and back on the other side on 28.

Mr. Leedy: I believe so yeah.

Mr. McKenney: And then Hughes maybe same sort of thing you end up on River Road and come back Westerly or something maybe. So I guess just caution your riders that once they get outside of Town the roads get real winding and narrow.

Mr. Leedy: They have done it before they are very familiar with it.

Mr. Behrend: Fast drivers.

Mr. Leedy: Yeah.

Mr. Zachrel: And farm equipment.

Mr. Behrend: Yeah that is a serious thing to watch out.

Mr. McKenney: Any other...

Mr. Leedy: Can you go ahead and approve that knowing that the payment will be taken care of?

Mr. Behrend: Yeah I was going to move that providing the fees are properly paid, move that we approve permit as submitted.

Mr. Carmack: I'll second that.

Mr. McKenney: Been moved and seconded all in favor signify by saying aye.

All: Aye.

Mr. McKenney: Opposed, any abstentions, motion carries.

Mr. Behrend: Good luck with the weather.

Mr. McKenney: Thank you Sir.

Mr. Leedy: How do I find out whether the fees have been paid or who to pay?

Mr. Behrend: That gentleman right there.

Mr. Yost: Give me a call tomorrow and I will be issuing the permit tomorrow.

Mr. Brown: What day of the week is October 2nd?

Mr. McKenney: It is a Saturday because it is Cole's birthday.

Mr. Carmack: I don't have my schedule but if they are going to park at the high school, is there a PAA home football game.

Mr. McKenney: I got to assume there is not. They said they got clearance from the high school about using the lot.

Mr. Yost: Well they will stack that parking lot, they did have a permit.

Mr. Brown: What day is it again?

Mr. McKenney: Saturday, October 2.

Multiple Conversations Taking Place

Mr. Carmack: I know there is no JV games because the JV football has now moved to Thursday nights.

Ms. Belliveau: Catherine Belliveau. 19509 Bodmer Avenue. Basically what it says there Poolesville Presbyterian is just kind of a sponsor organizing a walk in the park kind of and also a festival within Whalen Commons, we want to use the bandshell, have music, have potentially some vendors, and it is all to raise money for WUMCO.

Mr. McKenney: Is this the first time you have done this?

Ms. Belliveau: Yeah. Fannie Mae dropped WUMCO from their walk for the homeless and they dropped them so we decided to do it as a community. I have got the CEDC people helping me and basically my church is on there but its really not just us, it is people from the community coming together to try and fill that void.

Mr. McKenney: Ok good.

Mr. Zachrel: I make a motion we approve it.

Mr. McKenney: Moved and we have some more questions.

Mr. Behrend: Second for --- discussion.

Mr. McKenney: Its been moved and seconded sounds like there is discussion here.

Mr. Pike: I was at the CEDC meeting a couple weeks ago, is this going to be a walk?

Ms. Belliveau: It is, its not just, well the walk portion is going to be around the park, not leaving Whalen Commons, we are trying to keep that part small, I mean the Fannie Mae walk was always about a mile, like 4 times around Whalen Commons but the idea was to expand it a little bit from that, get people who may not want to walk to participate and raise money in other ways as well.

Mr. Yost: Cathy is working with you all as well.

Ms. Belliveau: Yeah Cathy Bupp is working with us, Lynne Bodmer.

Mr. Brown: All the Town's rogues.

Ms. Belliveau: Yeah pretty much, Helen Gunther.

Mr. McKenney: It has been moved and seconded, nobody has indicated a previous motion yet, excuse me previous question.

Mr. Behrend: Call to question.

Mr. McKenney: All right between Kurt and Jeff we got it. Moved and seconded, all in favor signify by saying aye.

All: Aye.

Mr. McKenney: Opposed, abstentions, pass. Thank you.

Ms. Belliveau: Now do I actually get a, since I have to have the permit on me at all times, do I actually get a permit?

Mr. McKenney: Yeah one will be mailed or Cathy may actually just give it to you.

Mr. Yost: Yeah we will do that in the morning.

Ms. Belliveau: Ok great.

Mr. McKenney: Thank you. Good night. All right PHS October 27, 28, they want the bandshell don't they.

Mr. Yost: Yes.

Mr. McKenney: Ok because they didn't mark it. I guess we need to add that to our form don't we, bandshell.

Mr. Yost: Yes we are going to add a bunch of things to this.

Mr. Pike: What day is the 27th?

Mr. Zachrel: It's a Wednesday and Thursday.

Mr. McKenney: Does anybody know anything about this?

Mr. Yost: The school called they always look for places to do concerts, it's a great thing to be able to have the high school utilize our bandshell.

Mr. Behrend: No conflicts?

Mr. Yost: No conflicts.

Mr. Brown: And a great time of year.

Mr. Yost: Well they are going to come set up and then come back later in the day so they will have their equipment out there so it is not like they will be jamming all day.

Mr. McKenney: Are they going to break it down overnight then too I guess or no, or are they just...

Mr. Yost: I am not for sure exactly.

Mr. Brown: I think the plan is they break it down and take it away and I think they will probably end up leaving their trailer on site in the parking lot.

Mr. Yost: Which is fine.

Mr. McKenney: Now have they have they held concerts at Whalen's before or is this all just because of the bandshell?

Mr. Yost: All because of the bandshell.

Mr. McKenney: Good, good, which was one of the things I wanted to see happen because the other thing wasn't big enough.

Mr. Yost: And too close to the houses.

Mr. King: On a side note about the bandshell in the summertime, it has been the best thing that was done.

Mr. Behrend: That was in the original plan.

Mr. King: The bands are so happy I mean they are ecstatic, the people, the lighting, the bathrooms it just has taken it to the next step, it was kind of not there, it really put a nice finishing touch on the park.

Mr. Behrend: As I said that was in the original plan and that was for various reasons rejected in favor of what we had, with the comment being made by the then President of the Commission saying oh that will be big enough for any band or group that we have come through. That person has long been off the Commission. That was the vision.

Mr. McIntyre: Somebody said that?

Mr. Behrend: Yes. The original idea was to have a bandshell where the pavilion was so the sound would come out and not bother the neighbors.

Mr. Yost: Neighbors love it too.

Mr. Behrend: No I mean that was the whole intent was to have the park for this kind of stuff so I second that Preston it is great to see.

Mr. McKenney: Butch brought up a question I think the answer is no but do they need to have proof of insurance or do they not need to because it's the high school.

Mr. Yost: You know we don't with any of the bands either that play all the concert series and all that.

Mr. Behrend: Because that is a Town sponsored series.

Mr. McKenney: I mean we got away with the gazebo didn't fall down on top of anybody we should be safe right.

Mr. Behrend: As I have been instructed before it is another government entity but it is not a Poolesville government entity would be your one case but I think we can ensure the County has insurance.

Mr. Yost: And actually for the record under LGIT our insurance company covers us, everything that happens in town, even with the parade and bike races.

Mr. McKenney: Ok well that is good to know.

Mr. Behrend: Move we approve.

Mr. Carmack: Second.

Mr. McKenney: Moved and seconded. All in favor signify by saying aye.

All: Aye.

Mr. McKenney: Opposed, motion carries. Ok very good. So I guess we are now into...

Mr. Behrend: Well if I may Mr. Chairman we have got 2 and it may be whoever --- but there were 2 that we had moved to the floor at the August meeting that we didn't deal with then. It may just be housekeeping just to push them through.

Mr. McKenney: Well there was a conflict there wasn't there.

Mr. Behrend: I believe it was settled between them.

Mr. McKenney: I think they were going to work it out.

Mr. Yost: They are still fighting over it.

Mr. McKenney: Are they?

Mr. Yost: Last week they were still kind of arguing it out. He came in and spoke with me and I said look this is your league, because he is part of that league and I said we don't give permits to coaches without a league, you guys work it out and I sent him on his way.

Mr. Behrend: So till they come back with an answer we don't need to move forward.

Mr. McKenney: All right very good thank you.

Mr. Behrend: So they are running their season without permits basically.

Mr. McKenney: I don't know if they've started, well September 1, so either they haven't started it or they have started it.

Mr. Yost: Well we should go ahead and approve...

Mr. Behrend: The one Mike put in.

Mr. Yost: Yes.

Mr. Behrend: Ok.

Mr. McKenney: Ok all right, right because this is the organization isn't it.

Mr. Yost: Exactly.

Mr. Behrend: That is a housekeeping thing.

Mr. McKenney: All right so received on June 25, 2010 was a park permit for organization UCSC it is a soccer organization and it has a number of teams and has provided a full schedule as an attachment. They were looking for Halmos, Willard 1 and 2, Stevens and Bodmer depending on what day and time and move that we approve this permit.

Mr. Behrend: So moved.

Mr. McKenney: Oh excuse me.

Mr. Behrend: You are asking for a motion.

Mr. McKenney: I am asking for a motion thank you.

Mr. Zachrel: Second.

Mr. McKenney: It has been moved and seconded, all in favor signify by saying aye.

All: Aye.

Mr. McKenney: All opposed, uh opposed, abstentions, none pass thank you. Ok talking and writing at the same time and having difficulty. Ok what do you want to take first the bandshell closeout or...

Mr. Yost: Sure that is fine.

Mr. McKenney: Yeah because I guess we got stuff to talk about with the skatepark right.

Mr. Yost: Maybe I don't know. The bandshell ok these are my basic project sheets I have on all the projects, what I have given you is just a cover sheet which is a summary page and I have all the backup data that goes with it if you have specific questions about any of the items. As you can see the top portion of the page is

where the funding stream is, we had \$208,755.00 of our own money and then received a \$100,000.00 grant through Maryland Heritage Authorities from the State and that gives a grand total of \$308,755.00 for our funding stream. Broken down the development of the project typically cost more it usually does because we went back and forth with the architect a few times before we finally got the right design, which turned out to be a great thing, so \$42,000.00 just to get it to design with the architect and ready to go to construction. Project oversight that is just basically John Strong's oversight, inspections of the project itself any change orders and we had a couple small ones, the contract itself started out at 238 we did add in some extra money for some rock removal for the sewer that crossed over in case we needed it and actually we got reimbursed for some of that. And you see permits from the County \$3,900.00, and then miscellaneous we bought a plaque for it that Preston just mounted that says Maryland Heritage Areas Authority and thank them for the grant, which is kind of what we have to do and then on Poolesville Day we are going to at about noon we are going to thank them and Peggy Erickson from the Historical Society is going to be here and thank them, get the picture and all that good stuff. So basically that is what the bottom line is here we have \$10,000.00 left over in this project that is not earmarked for anything you know a couple of things were tossed around, possibly in the future putting an awning of some sort or retractable awning that would come out, if you have ever been to the concerts anytime in the summer the sun just blares on them, or we could just use the money for nothing, if we don't use it for anything it is going to go into, once I do the close out, it will just go into whatever account this is in which I think is 2010 and will just be left, the money will be allocated to someone else, which we had a couple projects close out, we have a couple hundred thousand dollars actually in leftover project money just sitting up in the close out account...

Mr. Behrend: Yeah which we could then redirect towards other parks plans.

Mr. Yost: So that is basically it for that project. Everything went well it closed out on time and everything worked out fine.

Mr. McKenney: Quick question, on our funding portion where we had \$208,755.00 had that been saved or allocated was that a budget amendment that said we are going to...

Mr. Yost: No we had accumulated funds for 3 years, we had \$95,000.00 of our own and then on 11/2/09 we had a budget amendment for \$113,000.00 and basically that is when we completed our total design and were ready to go, we had the contract and when we did our biddings said ok we are short \$113,000.00 and we made the budget amendment there using a lot of carryover funds that were in other accounts and some came from, we had excess leftover funds, we are supposed to carry about \$900,000.00 in emergency fund money unrestricted funds and we had like 1.2 million so the Commissioners play a game of if they don't use that money for something then lower my taxes and that goes over several years so we definitely try to use it in like the best place we can.

Mr. McKenney: Ok. Anybody else got any questions?

Mr. Brown: I actually did raise a question with Wade and I urge you guys, I don't know if we are going to have the directions established tonight or not but the awning issue is a real one by the bandshell and as anybody can attest in terms of set

up and the comfort of the band doesn't necessarily bother me or not but it is, it does face very much due northwest and the sun just comes right in and the inside of the bandshell can usually be 10 to 15 degrees hotter than it is outside.

Mr. Behrend: Is it more appropriate Jim that we address this is our budget cycle or do we need to do that in the next couple meetings?

Mr. Brown: Well I the money will be set aside right now anyway I just thought actually ask you to go give it a try and see what I am talking about. I had asked for it to be considered early on in bandshell design and I know that we know how (inaudible) so but I just tell you this it is something worthy of consideration. It is beautiful, I don't want to mess it up aesthetically in any way, shape, or form but the heat is a pretty strong issue inside there during the summertime and to the point where I think we may have to consider it when it comes to programming and figure out how it is going to be used.

Mr. McKenney: So I saw Wade's email I guess I had reacted just the sun in the eyes thing and I was thinking well why couldn't they just put on sunglasses, and I am not trying to poo-poo anything but it didn't even occur to me that it could be warmer there than it is outside. Not wanting to mess up the aesthetics either can we put ceiling fans in, outdoor ceiling fans and use that as a means of moving air.

Mr. Yost: Not with that type of construction that would be very difficult to do.

Mr. McKenney: So we can't do anything on the roof there really.

Mr. Yost: Its closed up and it is all, what it is is higher beams that run this way and then grip the 2 x 4's but at a slant so you put a fan up in there, they have those light bars that they hang in there also so the fan is either going to be way too low because of the light bars it will mess up the sound I am sure.

Mr. Zachrel: What is the cost of that retractable light.

Mr. Yost: Yeah if they even have one I mean yeah it is probably a custom built thing I would imagine.

Mr. Brown: I'm sure that there will be companies out there that will come in and give you a very nice aesthetic drawing. I just say to you guys don't take my word for it go out there and give it a checkout on the hot days if you can and see what you think, if you don't think it is worthy of it than fine, let it go back in the general fund and we will find someplace to use it.

Mr. McKenney: I'm just trying to --- this thing, you know it looks good and then we have this awning thing were you have something rolled up.

Mr. Brown: Well they make them in such a way that they can be completely retracted, I have seen them on really nice houses that it looks just like that right there and there is no visible beams.

Mr. McKenney: The other thing I would be concerned about is would you have to bring it down so far that now you have this little window of seeing the band in order to make it effective.

Mr. Behrend: If you bring it straight over you will provide shade back here.

Multiple Conversations Taking Place

Mr. Brown: Go there during Poolesville Day if we have a nice sunny day on Poolesville Day and check it out.

Mr. Behrend: We always have a sunny day on Poolesville Day.

Mr. McIntyre: How much were the cameras we were looking at for the skatepark.

Mr. Yost: We fought to get electricity which we did get that approved and we have a panel over there so we are half way there on it. When the budget cycle comes up again we probably want to take a look.

Mr. McKenney: Well I think between the 2 close out projects we got enough.

Mr. Brown: The question is getting my fellow Commissioners to approve, which they have already said no.

Mr. Yost: Well we didn't have the money for Halmos 3 either so that was a lot of money. The Halmos 3 project we didn't use the money there either, we had \$18,000.00 and used maybe 3 or 4 of it.

Mr. McKenney: That is right because we decided not to move the fence right.

Mr. Yost: Ok any more questions on the bandshell. Ok skatepark, ready to talk about that, the funding at least. Same thing there we had lets seen \$210,000.00 of our money which we accumulated starting in 2008 \$20,000.00, 2009, 2010 and then 11/2/09 the same night we did the other one we transferred \$130,000.00 into that account to make it \$210,000.00 total and then we received \$175,000.00 grant from Senator Garagiola which gave us a total of \$385,000.00. Now breaking down the expenses and how it is laid out here you will see where a lot of them overlap, project development was almost \$30,000.00, oversight was relatively inexpensive another \$7000.00, the Skatepark itself was just under \$150,000.00 and the site development which included grading of that site itself where the skatepark is, the storm drainage, the parking areas, the sidewalks, the curb and gutters, that was \$166,000.00 almost \$167,000.00, permits from the county for stormwater management almost \$11,000.00 and then miscellaneous improvements which we have already spoken here but I will tell you what that is...

Mr. Behrend: Looks like pretty good budget estimates of what we incurred.

Mr. Yost: Yeah we were right on the money. The fence is in the miscellaneous that was \$8000.00, then we did the grand opening that was probably about \$1500.00, for food, advertising of it, sending out the postcards, sanitation, trash cans were \$700.00 for 2 cans so that is the miscellaneous improvements. So in this project we have just over \$9000.00 left over for close out. You know what we do need I know one thing we need which is really inexpensive is the steps that we talked about on either side of the...

Mr. King: Yeah we are going to do that, we just haven't had that is a fall time project.

Mr. Yost: And that is something that was missing in the design I'm surprised the guys who designed the park didn't think about that, but there is dirt on either side of the walls that go up to the top the high sidewalk, so the kids they scramble up the side of it and are wearing the dirt down there.

Mr. McKenney: Yeah I saw that.

Mr. Yost: So we need to put some steps in there which would be really cheap if we form it up with concrete or put in...

Mr. King: Just some landscaping blocks with some caps on it. I just need to tell them to do it and after Poolesville Day that is one of our things.

Mr. McKenney: I look to Jim and Butch if we make steps there will that become another...

Mr. Behrend: Ramp.

Mr. McKenney: Or item or something, would it make sense to do it landscape it out with wood or whatever but gravel in the middle so it doesn't get used that way.

Mr. Yost: No gravel.

Mr. McKenney: Oh that is right because it will mess up the rest of it right.

Mr. Yost: We are going to set it back a little bit from the edges so if they jump on it they fall in the dirt.

Mr. King: The way I am picturing it especially the way it is graded there is no way.

Mr. Yost: Right just cut it back.

Mr. King: And we might even use 6x6 pressure treated lumber. It hasn't been totally decided yet but you know what the kids are going to jump it.

Mr. Yost: But whatever it is...

Mr. King: And we will deal with it.

Mr. McKenney: When you are ready send somebody out there to throw a whole bunch of trash around and shut it down for a week, you'd get it done.

Mr. Brown: Regarding this awning this is something that if we could have planned ahead of time to have this in place because we do talk about the planning process, it is something that and I call it an awning...

Mr. Yost: Shelter.

Mr. Brown: Shelter whatever I urge that we (inaudible) for two reasons, one is that obviously the shade is needed and its hot and its if you see the guys up there that the kids get --- pretty easy which doesn't make it safe (inaudible) the other reason is that they hang out at the top area where you can kind of look down and see everything and that top area doesn't get utilized to the degree it could because everybody hangs up there, which is cool but if we provided them with a shelter spot you know permanent hardcore...

Mr. Yost: In addition to that I have seen parents out there with little kids and one of the parents mentioned something like that.

Mr. Brown: Yeah some benches, some tables, maybe an awning so that they could sit on there and not faint.

Mr. McKenney: The benches were inside right.

Mr. Yost: We didn't really talk about that.

Mr. McKenney: Moving right along.

Mr. Brown: Can we just investigate how much it will cost?

Mr. McKenney: I think Wade would be well within the budget realm the only problem is this is the only one that doesn't show any shade. If you did this where would you put it though, you can't put it inside.

Mr. King: Towards Tads a nice flat area and actually that area the parents can see 99% of all of it.

Mr. Carmack: Didn't we initially discuss putting it inside the park?

Mr. Yost: Yes inside the gate, right to the left we'd want to pour a pad there of course.

Mr. McKenney: Inside the gate?

Mr. Yost: Yes just a very small one, something like this inside the gate.

Mr. McKenney: Not over here where we are talking about doing a --- sort of thing but in here.

Mr. Yost: Right because where that --- is like a 40 footer.

Mr. Zachrel: Inside the park?

Mr. Behrend: Because that is what we were talking if I recall is that tot lot pavilion area is going to be also available for people to be sitting there the mothers and whatever to sit and watch the kids they were part of the discussion.

Mr. Zachrel: I have to look at it again. I think if it's outside the park it could get dual usage.

Mr. King: Put it inside and you lock the gate at night, you don't have the hangout. That is what our discussion was, put a small one inside, once the gates locked you leave it on the outside I tell you what is going to happen.

Mr. Yost: They are going to hang out there.

Mr. Behrend: And they will when the tot lot comes in.

Mr. Carmack: So what are you thinking like a 10x10, 12x12.

Mr. Yost: That is what these are here.

Mr. King: 10x10 enough for because most of the time we have seen just 1 parent, maybe 2 and a kid or 2 kids, but we don't need a large one, put something inside and where they sit if we put it on the left hand side the view is a perfect tunnel, they can see everything that is going on.

Mr. McKenney: So you think a table too or no or does that become more problematic.

Mr. Yost: Well that is kind of why I like the one in the bottom left hand corner.

Mr. King: Less room for graffiti also. I'm just telling you it would be single pole and the way to go, green metal top, keeping our theme.

Mr. McKenney: Put those little nubs or whatever on the table and the chairs so they won't be able to use that.

Mr. Yost: Actually we are going to want to pour a slab around it but what we will do is put the grooves in the slab where you cannot, they did that at Olney Skatepark and they have these things.

Mr. McKenney: And you can't get from the skatepark to jumping onto (inaudible).
Ok.

Mr. Brown: Do we know how much all this would cost?

Mr. Yost: I don't have an idea yet, we are just floating ideas right now but looking at the budget, this money is not going anywhere.

Mr. McKenney: Right well I would say get us some prices and I don't know is there a way to even see if there is ways to get prices for the awning for the bandshell, I don't even know where you go for that.

Mr. Zachrel: Actually there is a company in the Jessup area that actually makes custom made retractable awnings.

Mr. McKenney: Oh really ok.

Mr. Zachrel: We can come up with hey we want it to look like this so it fits, we can come up with color, we can come up the design that holds it...

Mr. McKenney: Well wouldn't they come out and take a look at it. So if you give that to Wade, you want to do that?

Mr. Yost: Yeah sure.

Mr. McKenney: I am going to talk to the security guy that I know just vaguely about the cameras again just because I know a facility that just did it and I don't know if it is wireless, it may be all be wired, it may be trenched I don't know, but they put a

whole slew of cameras up all over the place and its Izaak Walton and on their rifle-pistol range alone they have 4 cameras, and they have 3 or 4 inside the lodge house, and around and I am sure they have some at the --- ring so that was a significant undertaking to do that, what I don't know is if they are all wired. I mean I see wires going down and then kind of disappearing, they maybe trenched the wire, which obviously is a different cost structure than what we were looking at.

Mr. Zachrel: The cameras are specifically when the park is closed.

Mr. Yost: You can set them up however you want. Once you have the camera...

Mr. Zachrel: Its really for after hours, are we having more problems at other parks after hours because this one...

Mr. McKenney: If we had the money to put cameras at Stevens I would put them in tomorrow.

Mr. Yost: That was one of the arguments of the Commissioners, that we have graffiti and other problems at other parks, why don't we consider putting them there.

Multiple Conversations Taking Place

Mr. McKenney: The reason we liked that was because it was brand new, we could incorporate it and it was short, it wasn't a far distance from here.

Mr. Behrend: It was easy to do there first. But the grand goal is to get all of them covered including Whalen's.

Mr. McKenney: So anyway it would be worth another go around and listen every 6 months to a year technology, you know what was super expensive last year could be affordable now.

Mr. Brown: Well if the Board here is really behind it, which I am behind it as well, then it doesn't hurt to just (inaudible).

Mr. McKenney: Let us know when you are talking about we will all show up.

Mr. Behrend: Put it into our budget proposal because it is something we need to do, the Town is big enough it is growing again, we need to be able to watch where it is, Preston and Wade cannot be everywhere.

Mr. Yost: Neither can Jerry.

Mr. McKenney: Isn't this, is it this year or next fiscal year where Stevens is up?

Mr. Yost: In 12 so next year.

Mr. McKenney: And it is a point of protecting the Town's investment and its equipment and parks beyond just...

Mr. Behrend: Its not just so little Johnny can show off to Mom at home, it's for protection of the Town, protection of the people, protection of the property, the money we put into it.

Mr. Yost: We tried but we got beat up.

Mr. Behrend: And I realize there are certain individuals that sit behind this table on Monday nights that have a mindset of oh no they are locked into a mindset and you are not going to shift them. Hence my side comment to Jim of come November there could be different folks here.

Multiple Conversations Taking Place

Mr. Behrend: We need to keep making the argument that even the densest person that has ever sat back here eventually we will get through to.

Mr. Pike: Hey that is not fair.

Mr. Brown: I think it is on the Commissioner level.

Mr. Pike: I know.

Mr. Behrend: And it is something that the Commissioners are obviously in favor of or...

Mr. Brown: Heck of a long Commissioner Meeting.

Mr. McKenney: So that was bandshell close out, skatepark close out, let me think for a moment here, I had one of the guys that has a park permit for baseball parks approach me and was asking if there is anything we can do and of course with no rain it is really hard but if there is anything we could do to try and drag the fields at all, I know without any rain it is like scraping concrete.

Mr. King: When we have gotten rain the next day I have been on it and we have had rain twice.

Mr. McKenney: I know.

Mr. King: Actually we sprayed today, we are doing some prep work out at ball field 3.

Mr. McKenney: Did you go to 2?

Mr. King: 2 has a brand new ball diamond.

Mr. McKenney: Oh did they.

Mr. King: There was 3 clubs they were all supposed to take a little money because we went out and got ball diamond mix, we put it down and Cartwright I think spent a lot of time doing the finish touch, there is Volentine, is Volentine PAA or, right 3 teams and they (inaudible). I don't know if any checks have come in yet have they.

Mr. Yost: No.

Mr. King: And that was the whole thing and everything was tight and it was \$750.00 worth of dirt I put on there and we were hoping to have PAA kick a little bit in and Cartwright said he would and Volentine I haven't heard anything from him. But it would be nice if they did kick a little bit in there, but it is needed.

Mr. McKenney: Now they other thing that apparently happened on 2 and I got to assume it was done to the 3 of these guys, I don't know if somebody came in and just did it but they moved the rubber, they moved it, they actually dug it up and repositioned it.

Mr. Carmack: Which field?

Mr. McKenney: 2.

Mr. King: And which way did they go with it?

Mr. McKenney: Shorter. Volentine was the one that told me about it he said he spent the first half hour whatever I don't know if it was while he was practicing, moving it back to where it needed to be and trying to get it locked in. But he doesn't say it has happened again so I don't know.

Mr. King: There is a group of coaches now that aren't even going for permits and their attitude is if nobody is on it they are going to use the field until somebody shows up with a permit.

Mr. Behrend: Well that is legitimate.

Mr. King: They are going to move the bases I watched them the other day.

Mr. McKenney: If they have --- in there that is ok too.

Mr. King: They are digging separate holes in the ground. Ball field 1 which is set up for (inaudible) I am just saying there are coaches right now they had the soccer tournament and all the fields were taken and they rolled in and they didn't care and

nobody was on the field, so there is a group of coaches right now that are doing what they want to the ball fields, they know if nobody is permitted they can use it.

Mr. Behrend: As long as they are not physically damaging the field that is absolutely true, anybody in Town can use it as long as there is no permit, which is why we have always tried to, you know it used to be that UMAC owned the fields, that is why we got it back to “your permit conforms to your schedule” so that other people can use the fields, but they shouldn’t be digging.

Mr. Yost: Put in your temporary bags or whatever if the field is not right.

Mr. McKenney: I could almost, any coach that is doing it for whatever is going to have something for their own bags and not have to necessarily use, I mean a number of us have portable rubbers.

Mr. King: So they moved to ball field 1, which is our softball only, and they moved it everything to their distance.

Mr. McKenney: Well yes so just keep an ear or eye out for that, I only heard the one time and he didn’t come back to say that it happened again so I’m hoping it was just the one time.

Mr. Carmack: I mean UMAC is using ball field 3 a lot a couple nights a week and the weekend and the 3 people are using ball field 2 that we gave permits to.

Mr. Yost: It was just somebody in the weekend that came up here looking for a field I think.

Mr. McKenney: It’s got to be, it must have been.

Old Business

Mr. McKenney: Ok any old business?

Mr. Carmack: Let me give you an update on the Eagle Scout Project with Kevin Connor because I have been working with him. We picked up all the material, Lowes gave him a 50% discount, \$400.00 worth of lumber so we picked it up in my truck, loaded it in the concession stand at Stevens, then we went up and picked up all the metal and brought that back, so that is all in there, he is waiting for Morningstar who has been unusually busy so he is basically waiting for Morningstar he wanted to actually get started this past weekend, he is hoping this weekend, I talked to him just before we came in, so far the total is just under \$600.00 so my suggestion was that we pay for the whole thing because we didn’t get a chance, I will talk to you about this afterward...

Mr. Behrend: Anyway we can put some gentle hint to Morningstar because he is under a tight deadline. He has got to be to the Council by November.

Mr. Carmack: It is the pieces that go in the poles, it is the foundation we can’t move without it.

Mr. Behrend: He has got to have this thing done and written by November.

Mr. Carmack: I think he is under some pressure but I think if we don’t get something by this time next week we could put a little adult pressure on them only because I know Kevin and he is playing full time, he is playing football.

Mr. Behrend: Yeah he has worked hard on this.

Mr. Carmack: And I told him we would bring some saws up there when we did it, some power saws to make it work and I even told him that when he gets --- I can usually buy some pieces and stuff for the other Scouts so they keep working and things, we did that for ---, so I think we will just cover it on our side.

Mr. Yost: That is fine absolutely.

Mr. Carmack: Cut one check on that and then you and I can talk about the dirt and stuff.

Mr. Pike: Is it Steve Morningstar.

Mr. Carmack: No it is not Steve Morningstar it is Morningstar Welding, he has got the pipe at the top he has to put a sleeve over it with a welded piece.

Mr. King: I'm going to see Pat Morningstar tomorrow.

Mr. Carmack: There is 12 pieces and they are all pretty much exactly the same, but there is 12 pieces that he needs, even if he could do 6 we could start on one right.

Mr. King: The thing is when I talk to Pat we need you to contact because he is going to have to be there with Pat has he been given a...

Mr. Carmack: Pat went with him one day out to the field.

Mr. King: Ok I will talk to Pat tomorrow.

Mr. Behrend: Just to give you the timing frame, its early December when he turns 18 which means we have to get his Eagle project written up and down to Council, the whole packet has got to be in Council by the end of October for the November meeting.

Mr. King: I will see what I can do tomorrow.

Mr. Behrend: Because they will not grant him a --- like sorry you should have figured out time.

Mr. Carmack: Preston that might work if he could just cut it in half, half now and then that would give him an extra 2 weeks before we start on the other.

Mr. King: I will talk to Pat and see what I can do.

Mr. Behrend: Thanks Preston.

Mr. King: What about the other Eagle Scout Project?

Mr. McKenney: Yeah what about that one there seems to be some commentary?

Mr. King: Lack of effort.

Mr. Yost: Well Preston kind of helped him out.

Mr. King: We ended up pouring the concrete, we ended up squaring the boxes up a little bit after the 2nd thing and since I had the concrete poured there hasn't been so much as a thank you or we are going to have it done this weekend, nothing, so I have 2 pads out there and we were just talking about benches out there and there has been no progress, there has been no updates, there is nothing. I don't know how you guys can handle it.

Speaker: I'll make a phone call.

Mr. King: He is the one who put the time on me and we went way beyond and met the concrete guys here...

Mr. Yost: He didn't show up or something right.

Mr. Pike: You know I don't think you should make that phone call, I think he should do it himself.

Mr. Behrend: Well to tell you where it is at, I have talked to his father in my official capacity and --- absolutely right, this is an Eagle Project, the Scout has got to do it and if he fails and he comes in January is he birthday so he has to get to the December meeting, if he fails...

Mr. King: He had the Town --- because we were talking about putting benches in and then...

Mr. Behrend: Preston I am with you man. As I said I want a general update anyway from this kid but I suspect we are going to end up putting those benches in ourselves.

Mr. King: That is fine I don't care.

Mr. Behrend: This is a personal opinion just knowing how this Scout has been I do not expect him to finish his project, I just don't. I will send an email to all of them and say I need an update guys, I got three in the works so I need an update from all of them because I got to get packages down to the Council.

Mr. McKenney: So we only got 2 with the Town the third one is not doing anything.

Mr. Carmack: I got another one if you got another Scout I got another idea.

Mr. Pike: I thought Chris Martin was going to do the boxes in the fields did he ever write back to you.

Mr. Carmack: No I never talked to him.

Mr. McKenney: He's got a little bit of time yet.

Committee Reports

Mr. McKenney: All right Jim your report.

Mr. Brown: Is the Scout meeting over with?

Mr. McKenney: Yeah I think so.

Mr. Brown: Sorry wake myself up here. So we had a Commissioners Meeting seems like it was just a few hours ago but it was last night.

Mr. Yost: It was a few hours ago.

Mr. Brown: And for some reason or another it felt like the Commissioners were a bit, a couple of the Commissioners were a bit contentious I guess, anyway Eddie made the announcement kind of early on that there was he checked on it there was a rumor out there that there was a plan to permanently close the Poolesville Pool after this year, so he assured us that that is not the case, he got it from high up in the County supposedly so that was something that I will actually be putting out to people because I had heard that from somebody else too.

Mr. McKenney: Could the closing have been closing it in the bubble routine but I take it nothing in that direction either right?

Mr. Brown: Then we had the same sign presentation that we got from Tom Kettler that the Parks Board received that he basically gave to us and the direction was established to establish a committee that the Commissioners would --- the rest of the committee and we basically discussed the makeup of it, which would include a Parks Board member so I'm hoping one of you guys will step up.

Mr. Yost: We have a volunteer.

Mr. Pike: We've been driving around taking pictures of the Town.

Mr. Brown: Ok never mind we have a volunteer from the Parks Board so the members were basically we came up with a game plan for who it would be so that was agreed upon and I think that is going to be in the next meeting we will officially...

Mr. Yost: Have a Resolution.

Mr. Brown: Have a Resolution and move forward with it. So good presentation actually no doubt it --- pretty nicely this go round. We made a budget amendment for storm damage tree replacement to the tune of almost 17 grand, it was awarded to Fine Earth Landscaping over Kuhlman Landscaping for replacing trees and these

were the trees that were damaged during the storms and we also received our \$48,000.00 grant, \$48,000.00 money that we earned from the County for our radar our portion of the radar funds so that was great, should have been a hell of a lot more than that.

Mr. McKenney: You said it was 48?

Mr. Brown: \$48,000.00.

Mr. McKenney: Jeez thought we were going to make more than that.

Mr. Brown: Out of whatever percentage (inaudible). I am disappointed, I am glad we have it and I will be happy for that but it isn't totally a drop in the bucket to how much this thing collected. We also received a report I believe it was from Wade that the or John Strong that the State has decided that in 2012 they are going to repave Route 28 from Partnership to all the way down to 28, Whites Ferry Road and Partnership down to 28 so you know how terrible road is, they have it slated for 2012 which is still as we all know sometime away but I guess we can't really argue with that. I said Whites Ferry Road from Partnership to Route 28.

Mr. McKenney: It is 107 from the split out to the other split.

Mr. Behrend: From Y to Y.

Mr. Brown: They are also going to redo they have a plan here...

Mr. Yost: Actually there is a plan to redo the intersection of Partnership and 107 right there and it is going to be 1 way going into Partnership and the spur itself will carry 2 way traffic. There are some problems, I actually met with some farmers today who because --- .8 feet wide with the curb where it goes into Partnership and we went out with Jamie Jamison who actually measured his tractor, he had some at the wheel bases which are 17 feet wide so they are taking out a whole lane and they could probably save money if they don't take out the other lane just do paint striping or something so we are trying to get our comments together and get them to the State because they want to bid the project in November.

Mr. McKenney: I know that with the cutbacks it has gotten way overgrown in that whole area right there and it is hard to make that turn.

Mr. Yost: That is a huge problem right there in itself. But they are putting a 10 foot lane on 107 itself to set up the spur where it comes out there and the grading itself is changing 3 or 4 feet.

Mr. Brown: We also got an update on the Town's case in terms of the Barnes case that was recently had several court actions taking place on it and Wade can we is that public on that.

Mr. Yost: Semi.

Mr. Brown: So you can talk to Wade if you want to get any details, we have had several Executive Sessions on the strategy.

Mr. Behrend: May I ask what the Barnes case is?

Mr. Brown: It goes back a long ways but what it comes down to is that the Mevissen's received a Special Exception to operate a eye business on a split driveway and the Barnes are the people that share the split driveway.

Mr. Behrend: Ok now I know what you are talking about.

Mr. Brown: And really the end result is, can we talk about what the action is...

Mr. Yost: Yes sure that is all public.

Mr. Brown: What's happened is that they were granted the Special Exception but then it was appealed, so under appeal they really weren't supposed to be operating and we issued them a "Cease and Desist" Order, after they have been in business for quite some time unfortunately so now they are supposed to stop and the Commissioners are taking action in order to prevent this situation from happening again. And then last but not least we shut down for a work session on our fee schedule and I have to admit that about $\frac{3}{4}$ of the way through I couldn't concentrate anymore.

Mr. Yost: He copped out on us.

Mr. Brown: I did I left. But it was a good, I mean these guys did their work very well but really what it came down to, did we end up changing anything or talking...

Mr. Yost: There is quite a few changes, the whole structure for the development fees have changed.

Mr. Brown: That I was awake for and it actually makes sense there are parts that are antiquated and we really couldn't tell why we had them placed like we did so they are going to be modernized and stuff. No huge impact other than potentially more money to do certain things.

Mr. Yost: And most of it is to cover our own cost.

Mr. Brown: Yeah more money just to cover what our live costs are and now that we really kind of know what our live costs are versus we didn't, John Strong was tasked to work with Wade and come up with dollar figures that were real. And that was it.

Mr. McKenney: Listening to your report with respect to the replacement trees one thing I forgot because of the timing is kudos go to Wade, Preston and your guys crews for going out and getting everything cleaned up and I know you stopped by my house twice to get the stuff that I pulled out and I didn't have that much, you guys did a great job.

Mr. Yost: They even had me out there working.

Mr. King: He rolled his sleeves up and he jumped right into it, that is really nice about having a few people in Town we can get people, we are almost instantaneous on any event now, which is nice, but I will be hitting you guys up for a piece of equipment here when the budget comes along.

Mr. Carmack: What do you need?

Mr. King: We need a large chipper.

Mr. McKenney: Did you have one or you rented one?

Mr. King: We have a little one, we need a big one, our trees are bigger we have moved on.

Mr. Pike: What do they cost?

Mr. Yost: Probably about 30 grand.

Mr. McIntyre: I noticed the for sale sign that is at Rabanales across from you, does that have any impact that we need to be concerned about, that well site or...

Mr. Yost: No the well site is ours, they deeded it to us already, we have just not moved forward because of the funding, it was slated actually to go online next year but due to the budget cuts we had to do it has been moved off several years and we really don't need it right now our wells are running.

Mr. McIntyre: Just saw the for sale sign so I thought I would ask.

Mr. Yost: But yeah they are 4 individual lots.

Mr. McKenney: That is the thing I was going to ask I couldn't remember how big the property was there.

Mr. Yost: Four 15 acre parcels so he doesn't have to go through Subdivision he will basically be coming in to get a permit, which we just went through a whole deal with some attorneys.

Mr. McKenney: Well he just got his water rights right?

Mr. Yost: Yeah exactly, well in December, it has almost been a year now.

Mr. McKenney: And he has got 4 taps?

Mr. Yost: 4 taps.

Mr. McKenney: And that is all he can get.

Mr. Yost: That is it, he is RDT, they actually subdivided by deed in 1963 so otherwise he would have had to gone through subdivision.

Mr. McKenney: Ok.

Mr. Yost: But he didn't have to because he was exempted because the RDT wasn't even created until January of 81.

Mr. McKenney: So even if somebody buys one parcel they can't break that up either.

Mr. Yost: Nope.

Mr. McKenney: Ok that is what I thought. And that is still inside Town property right.

Mr. Yost: Oh yeah.

Mr. Pike: How bout a sidewalk update what is going on.

Mr. Yost: Sidewalk update moving forward with it, it should be completed by the end of September or very close to it, the gap will be a box right in front of the townhouses and then they have graded the hill they actually got a cable that was buried there and Allegheny was out this afternoon trying to figure out what it was, it was something that was just buried in the hill from who knows when because they had to dig out to build up the footers for the whole retaining wall.

Mr. King: When you dig in this town you have no idea what is coming out.

Mr. Yost: So we are looking at completing that project toward the end of September.

Mr. McKenney: What, I will ask you later.

Mr. Brown: Tim Pike CEDC.

Mr. Pike: We talked about that WUMCO fundraiser basically and the Farmers' Markets and the Spring Fest. I think we go to the Commissioners in 2 weeks, well she was out of Town last night and no one wanted to step up.

Mr. McKenney: Because I think they needed to go back and we or the Commissioners wanted some higher, fewer drinks or something else.

Mr. Pike: Link had a question about something about how would the town do something but I forget what it was, but she answered it, she had it all.

Mr. Yost: They actually come with --- and stuff they are buying it from the County...

Mr. Pike: So it should move forward I guess, sometime in May.

Mr. Yost: It is going to be a tight vote I can tell you that. I am not anti.

Mr. Pike: We figured it out the other day, Eddie said he would vote for it, Jim is going to vote for it, he said he would vote for it...

Mr. Yost: Who Eddie?

Mr. Pike: Eddie did.

Mr. McKenney: Butch what do you have?

Mr. Zachrel: I have that we should take the skatepark off the agenda, it's a done park.

Mr. Brown: Is that your report Sir.

Mr. Zachrel: That is my report.

Mr. Brown: That you want this to be your final report, closure.

Mr. Pike: Final answer.

Mr. Yost: It's not over. Yes we will take that off.

Speaker: Anyway if you guys can get to the last Farmers' Market this Friday.

Mr. Yost: They have been an awesome turnout.

Mr. Pike: They are a lot of fun. We are going to have 6 or 7 different authors.

Mr. McKenney: Every time you had one I have been gone or camping or something.

Adjournment

Mr. Zachrel: I move we adjourn.

Mr. Brown: Second.

Mr. McKenney: Moved and seconded we adjourn, all in favor signify by saying aye.

All: Aye.

Mr. McKenney: Opposed, anybody abstain, motion carries we are out of here at 9:18.