



Greater Olney Civic Association

Post Office Box 212 Olney, Maryland 20830

Our Website Address: <http://www.goca.org>

GOCA MEETING - MAY 8, 2001

The meeting was called to order by President Art Brodsky. There were no additions to the agenda and two corrections to the minutes of the April 2001 meeting - changing the name of the GOCA president presiding over the meeting from Mike Kelley to Art Brodsky, and changing "not" to "now" at the end of the second line under Special Presentations. Following introductions, Art opened the floor for Public Comments.

PUBLIC COMMENTS

-Frank Ortega reported that the Olney Mill Community Association Board of Directors passed a motion to request that GOCA pursue getting red light cameras installed at the Rte. 97/108 intersection. This is one recommendation of their newly formed Traffic Calming Committee. Art read a letter we received from the President of their Association transmitting that request. Frank added that they hoped GOCA would agree to take this request to the appropriate agencies. Art added the item to New Business for discussion.

- Ed Partington suggested that town meetings be held at Olney Elementary because it is much more centrally located. Helene noted that the new ReMax Building Bette and Joe Buffington are building will have a community room that we will be able to use, free of charge.

- Ed Weisel encouraged people to use the Norbeck Park & Ride Lot and the associated buses. He has been using it lately and has been extremely pleased with how effectively it has been working. He suggested to the State Delegates attending the meeting that the lot needed an emergency phone and better lighting in the lot and along the path from the bus stop on Georgia Ave into the lot, and some bicycle stands.

SPECIAL PRESENTATION

A Wrap-Up of the State Legislative Session - Art introduced Tod Sher, the District 14A Delegate and Hank Heller and Carol Petzold, Delegates for District 19. Art relayed Adrienne Mandel's regrets at not being able to attend because of a family obligation, and Senator Len Teitelbaum's regrets because of another last minute conflict. Tod noted his impression that each session seemed to have a theme and the themes this session was electoral procedures and how much money was being spent. Some of the bills he was involved with included bond bills for the Sandy Spring Slave Museum, Olney Boys and Girls Club, and the Olney Theatre, a bill changing the inheritance tax for extended family members-as part of phasing in a series of inheritance tax changes started last year, a bill permitting small amounts of electricity generation without going through the more complicated certification process large electric providers must go through, and a bill lowering the alcohol content in the blood for driving under the influence charges.

Hank Heller noted that the session was dominated by issues relating to prosperity and redistricting; and that, with respect to the inheritance tax, the tax funds the Register of Wills office, so the judges and the courthouse system have fought for years to retain the law that taxes extended family members like nieces and nephews at the same rate as children because they didn't want the funding for this office to come out of their budgets. While the change in the tax law makes sense, the political issue is how do you back fill that revenue source for the Register of Wills office. A similar situation exists with respect to the sales tax we pay on a rebated amount of a car sale. If you buy a car and receive a rebate, you pay sales tax on the amount of the rebate. However, if you buy an item at a department store that is on sale, you do not pay sales tax on the amount of the savings, just on the amount you actually paid. So, there is an equity, fairness issue, but the problem is that the taxes on the car go into the Transportation Trust Fund that is used to leverage the purchase of bonds. So, the State doesn't want to give up that revenue source. So, they are still working on the inheritance tax next year. He gets annoyed with the hypocrisy of the Register of Wills staff that state when they are running for office, that they are not opposed to the inheritance tax change blaming the legislature for not passing it, when, in fact, they have gone behind the scenes opposing the passage of these changes.

He spends most of his time with budget and finance issues. He is on the Ways and Means Committee, spend 3 years on the Appropriations Committee. A few of the committees he has chaired include the Joint Committee on Federal Relations, the Joint Committee on Management of Public Funds. in which they look at how the Comptroller and the Treasurer perform their operations and what concerns the General Assembly. That committee got legislation passed a few years ago that requires county and city

municipalities that have bond portfolios to report the status of those bonds to the Treasurer every six months as a result of a problem with some corruption and mishandling of bonds in Charles County several years ago. This forces the small municipalities to have their treasurers give them the information every six months. This makes it easier to monitor the handling of these funds without putting someone in the awkward position of having to challenge someone from their small municipality that they have known and worked with for years. He is concerned about the budget for next year. Last year we had a huge surplus. Now we are down to a little over \$240,000 and next year it will be down to about \$64,000 and that is before we have to worry about the Asian economy and the electricity problem in California and we don't know yet how they will affect our economy. That surplus could go away quickly. They have also gotten the first indications that unemployment is going up and that is a disaster for State governments. Increased unemployment means the State pays more for Medicaid, for children, for hospitals, etc. This year the session was civilized, but next year could be very difficult and he is sure we will be held hostage. They did not change the Education or Transportation formulas for distribution of funds to the Counties, but will do that next year. They did pass the tax amnesty bill if the funds will go to mental health services. He felt that money should be included in the governor's budget. We are deinstitutionalizing the State mental hospitals and returning people with mental health problems to their communities which he supports, but there have to be safeguards that they are getting the treatment they need and taking their medications properly. The State is not giving the counties the funds they need to provide the custodial care these patients need in the local jurisdictions. There are five programs in Montgomery County and a couple are heading for bankruptcy and a couple are in trouble financially, and the State continues to deinstitutionalize patients.

Some of the bills listed in a handout he provided that he sponsored or co-sponsored related to the bond bills for Olney Theatre and Olney Boys and Girls Club but not for as much as we wanted it for, waiving in-State residency requirements for new teachers for college course work required by the State—a good recruitment tool, requiring M-NCPPC to adopt uniform standards for reviewing change to public property located in the Maryland-Washington Metropolitan District after appropriate hearings. He co-sponsored bills designating April 24th as Maryland Day of Remembrance of the Armenian Genocide in 1915 and thereafter, reducing the alcohol concentration levels for driving under the influence from 0.10 to 0.08 BAC of alcohol, creating a Maryland Pharmacy Discount Program and the Maryland MEDBANK Program to assist Medicare enrollees and certain low-income individuals to obtain prescription drug coverage, designating MD Rte 43 as Korean War Veterans Memorial Highway, repealing a prohibition against presumption of guilt due to a person's refusal to submit to a chemical test to determine alcohol or drug concentrations while driving, enabling local boards of education to use State funding under the School Library Media Incentive Program to enhance middle and high school libraries, eliminating the need for safety of the victim to be considered only in cases involving stalking or a felony, creating the felony of acts of mutilation, torture, killing, or beating of an animal, and extending the \$3,500 subtraction modification for Volunteer Fire, Rescue, and Emergency Medical Services Personnel-Ladies' Auxiliary.

Hank discussed the fact the governor will submit a redistricting plan during the next session and, if the governor calls a special session, then the House and Senate have the opportunity to discuss amendments to the proposal. If he doesn't call the session or they can't agree on amendments, the governor's plan goes into effect. If the House and Senate meet and can agree on amendments, then that amended plan goes into effect. With respect to the budget, the governor has more control over the process than any other State. He anticipates a difficult time next year with the budget, especially with a new governor and many new legislators..

Carol Petzold noted the great work Mike Kelley had done this year as a volunteer in her office. She noted that one of the positive things that happened in the legislature this year was the Maryland Pharmacy Discount Program that was enacted for senior citizens living below the poverty level that for a couple would be around \$35,000. For a monthly premium of \$10, and a co-payment of \$10 for generic drugs and \$35 for brand name drugs they can receive up to a \$1,000 of drugs. It also expanded the MEDBANK Program in which pharmaceutical companies donate drugs. She also noted the change in the acceptable level of alcohol in the blood levels to be charged with driving under the influence from 0.10 to 0.08 BAC of alcohol. What may be confusing to some is that the level that used to be defined as driving under the influence is now defined as driving while impaired. This will become effective in July. One bill she sponsored that did not pass related to making it an offense to have open containers of alcoholic beverages in the passenger compartment of vehicles. She is concerned about the excessive shifting of money from highway maintenance programs to highway safety programs. She serves on the Judiciary Committee that deals with crime and punishment issues. One thing they have done is increase the fines and sentences for drug dealing in the hopes of it being a greater deterrent. One of the bills she sponsored that did pass was a bill that identified certain tools that are used exclusively for shoplifting that you could be fined for possession of, if you are picked up in a store with them on your person—whether or not you have actually shoplifted anything. There was a structure change to move juvenile court into the circuit court so that all family law cases are adjudicated within the same court system.

The following points were made during the questions and answers that followed their presentations:

- Under the Pharmacy Discount Program, the fee for a drug with no generic version would be \$35.
- A somewhat rhetorical question was asked about what number of portable classrooms was acceptable at any given school.
- The legislation on open containers of alcoholic beverages does provide for vans with no trunks.
- The bill to make hit and run a felony rather than a misdemeanor was defeated in the Senate, and leadership of the House Judiciary

Committee does not sent forward to the full House any bill that has been defeated by the Senate. Carol did vote for it in committee, but it was never discussed on the floor of the House.

-With respect to redistricting, all three were asked for their reaction to or willingness to support the idea that this community is focusing on desirability and need to have a more unified legislative district to represent the greater Olney area, but at the same time, because there has been pretty serious satisfaction with District 19 representation for the portion of Olney that is in District 19. We are looking for some way of having this more unified district while at the same time keeping an appropriate portion of Olney in whatever District 19 becomes in the redistricting process.

- Tod noted that he liked representing the Olney community and he understood the legal and political pieces of redistricting. He would not want to lose the piece of Olney that he represents, but understand the desire for a more unified district.
- Hank noted that during the last redistricting effort, a district was designed to accommodate Joel Chasnoff who then decided to not run for office and that resulted in Olney being split down Georgia Avenue. He was upset because Montgomery County and Prince Georges County had enough population for 15 senatorial districts. Baltimore City and Baltimore County had enough population for 14 senatorial districts. If you divided the state up into the 47 districts allowed, and stayed with 5% of deviation in population, you get that result. But somehow Montgomery County allowed a deviation of 10% and we ended up with Baltimore City and County getting 15 districts and Montgomery and Prince Georges Counties only getting 14. Then they turned around and created 14 B instead of taking the amount population in 14A and working it into other Montgomery County districts. In what we ended up with he, Carol and Adrienne represent 110,000, they represent less than 10% of that and the two delegates from another county get ½ a vote each in Montgomery County delegation matters. His proposal was to have 39 go from Burtonsville to Montgomery Village and make 14A in Damascus and give them one democratic representative, but that was considered too partisan a position. Redistricting is gut politics all ov sympathizes and agrees the Olney should have its own delegate and he would love to represent the district that has all of Olney in it. But, some of his colleagues are interested in some er the State. He of the precincts at the other end of the district. He noted that historically, of the precincts in District 19, 3 times as many people in the Kemp Mill area vote as in the District 19 precincts in Olney and 9 times as many people in Leisure World vote as in Olney. So, no matter how District 19 gets carved up, they are not giving up Leisure World. The way it works the senators agree and the delegates agree on something and they negotiate in the County. He went on to note that, we could count how many Democratic senators there are in Montgomery County and a majority of them are going to pick the plan for Montgomery County and the majority of the Democrats in the House are going to come up with a plan and then there will be negotiations. The strong we are on our solidarity we are, the greater chance we have of getting that additional 1 and 2/3 districts in Montgomery County which would mean 2 additional senatorial seats and the County would go from 7 senators to 9 for the next 10 years. Or we can muck around and play games with each other and we will get 1 in a single member district that we share with Howard or Frederick, and Baltimore City will be allowed to go out into Baltimore County because we are not together and we will lose 1 senator rather than getting 1 and 2/3. That is the key issue for him - being unified enough to get 2 additional senatorial seats.
- Carol added that we, District 19 delegates, might try to propose something and say this is exactly what we want and stand firm on it. But they are part of a delegation and they can't win this alone. They need the support and cooperation of the other members of the delegation. Expanding District 14 within Montgomery County to a 3 member district is a possibility. But, if nobody wants give up parts of their district, it becomes difficult. There are probably 15 different plans floating around already, and it is difficult to tell what the final outcome will be.

- It was noted that a coalition has been formed in the Olney area called the Partnership for a Unified Olney that is currently made up of GOCA, Chamber, Sandy Spring CA, and NEMPAC and is looking at the concept of unifying Olney as much as possible within one district and to separate ourselves from Howard County. We know that Senator McCabe and the District 14 B delegates are amenable to giving up the Olney portion of District 14 so that they do not have to worry about dealing with the governments of 2 different counties. The Partnership does not intend to propose any specific boundaries, and will be looking primarily at census data. When asked what they could do to help us achieve that goal, Hank responded by indicating that they could let their colleagues know that they would like to see Kemp Mill, Aspen Hill, and Olney, respectively be kept together. There are ways to take precincts off the fringes and still maintain their voter bases. Carol agreed that they could do that.

OFFICERS/COMMITTEE REPORTS

President's Report - Art reported that:

- He attended a walk along the proposed path of the ICC, the western parkway, the Muncaster Mill Rd extension, and the Mid-County Highway extension. There was a rally at a park and then a hike lead by a naturalist, John Parrish, that took a couple of hours. He would stop and point out things like places where they want to build bridges, reached into the creek at one point and pulled out a blob of jelly that was about 1000 salamander eggs, etc. They detoured out to the road in Winter's Run to see where the Mid-County extension would come through the development. He is not sure how this would effect the debate as a whole, but it was a very powerful experience for those you went on the walk. There were about 30 people at the rally and about a dozen that braved the hike, including Councilmember Steve Silverman. It gives you a very different prospective than looking at a line drawn on a map.

Correspondence Report - Lori Wilen reported that the correspondence folder contained the usual agendas, the Mill Stream, and information about the upcoming forum on the Brookeville Bypass. Art noted a letter from Charlie Watkins responding to our letter prompted by Lyle Rocke's presentation about the hit and run accident his wife was involved in on Georgia Ave at the Queen Mary intersection, indicating that he would have his traffic engineering staff look into the matter to determine the best recommendations for safety measures at this intersection, that the evaluation would take 30-60 days and that they would share their findings with us when the evaluation is completed.

Treasurer's Report - Roy Peck reported that the current balance is \$4,524. To date he had received payments towards the Ad Book is \$300 in non-deposited checks. He is holding them to be sure we collect enough money to cover the cost of the printing to make it a viable option. Helene estimated that she had a total of about \$2,800 in the sale of ads, which is more than the estimated cost of producing the book.

OLD BUSINESS

Olney Theatre Development Plan - Jim Folk reported that we have received a new site plan and the only real difference from the last plan is that William Miller does not own the portion of the property where the inn and restaurant were to be located. He lost the financing he had for the property. The Theatre is moving ahead with their proposal for the second main stage. He spoke to Steve Kaufman to see how soon they would like to come to GOCA. The hearing is scheduled for June 21st which puts it on a quicker timetable than you expect because they are trying to get it heard by the Planning Board before Bill Hussman's term is over. The plans for the main stage appear to be unchanged, although the plan doesn't specify the height of the building. One change is that this plan reflects phases of development. One point of concern is that the report on approval of the preliminary plan so it is not clear what all the conditions were that were placed on the plan. So, without that it is difficult to see if this site plan is in compliance with the preliminary plan. Because the hearing will be after the next GOCA meeting, Jim will contact Steve Kaufman to invite him to our next meeting.

Olney Days Festival 2001 - Helene Rosenheim reported that, in spite of your increasing disorganization this year, seems to be coming along. She indicated that we are at a point of looking for a few more volunteers. There are a number of events being advertised as part of the weekend that GOCA is not actually responsible for running. She is looking for a few people to work the Olney Community Band Concert at the Olney Theatre Friday night, and we need a few more parade marshals and a few more helpers at the Bull Roast. The Cherrywood Garden Club is handling the flower show at the Olney Library celebrating the 50th anniversary of the County's Libraries. Bobby and Sandi Fletcher and Ed Weisel are handling the car show, the Fire Dept is providing the manpower for most of the activities at Olney Manor Park. The Colesville/East Montgomery Cal Ripken - Babe Ruth Baseball League is providing the volunteers for the Home Run Derby, and Roni Septoff has lined up all her friends and relatives to patrol the fallout area. Adam Barth and 3 of his friends are coordinating the Fish 4 the Cure Saturday morning. This is the second year of this event. Adam started this event last year as a project of charity each child is required to perform as a part of preparing for his Bar Mitzvah. The Parade will begin at 2:00 pm and the Bull Roast begins at 3:30 pm. BJ Pumpnickel's is providing the food with one or two of his staff overseeing the volunteers. Those of us that worked the Bull Roast last year had a lot of fun. Things are set for the fireworks, except for a little detail on the insurance certificates. She circulated a sign-up sheet for volunteers and suggested if anyone knew of others you might be willing to help, she asked that they contact her. Ed Weisel noted that the Fletcher's cover all the costs of the car show, and he understands that registrations for the show are low. He encouraged those at the meeting to let anyone they know with cars that they show about this event. His is still hoping to build up the student participation in the event, so he is thinking about contacting the Edison Center. It was noted that there may be other schools that have auto mechanics courses.

Greater Olney Town Meeting 2001- Helene reported that while we didn't get the numbers of people we had hoped for at the town meeting, we did get a lot of good input. We took extensive notes on what people said. It was definitely a brainstorming season, nothing was ruled out. After the Olney Days Festival is over, she will carefully go through the notes and prepare a report of all the comments focused around the different topics we identified. I think the general consensus was that we really are just doing a fine tuning of the master plan. In general, the existing plan is working reasonably well, but there are a few things we need to focus on. Most of the comments were pretty positive and constructive. The nature of the discussion was very productive. Khalid indicated that he agreed that the discussion had been very useful.

Helene noted that as a result of a discussion at the Olney Neighborhood Network, Sophie Randolph had coordinated a session at the Town Meeting in which our youth could talk about their concerns. She planned an hour and a half session and coordinated with students and staff at Blake, Sherwood, and Magruder High Schools. The kids had an excellent discussion and came into the adult session after lunch to give a brief oral report on some of the points that came out of their discussion Sophie Randolph will be compiling a report of their discussion that will be included in our overall report.

Proposed Move of Good Counsel High School - Art reported that we have talked in the past the possibility of Good Counsel High School relocated to a property on Batchellor's Forest Rd behind the property owned by the Korean Catholic Church. He received an email from a Charlie Mayer, a public relations specialist doing some work for Good Counsel. He wanted to try to have Art Ramo, the

President of the school to set up a meeting to give a preview of the plans. Mr. Ramo is arranging to have people come to his house. Art B. suggested that he should include such folks as representatives from the Farquhar MS, SEROCA, and several GOCA representatives. He doesn't know what their exact plans are, but he hopes that they have not gone beyond what is permitted in their zone. Mike Kay noted that a concern had been expressed at the town meeting about the impact a school there would have on this road that was just declared a rural rustic road. He should have more information at the next meeting.

Lighting at the Driving Range on Norbeck Rd. - Art noted that Cary Lamari has been carrying most of the lode in dealing with this driving range. Now that its built there is a problem with the lighting that goes well beyond the trees and is particularly glaring for traffic coming south on Georgia. The special exception process is apparently still underway on this project, so he wrote to the Board of Appeals, at Cary's suggestion, about our concerns. Cary could not be at the meeting, but he got Steve Mann, who was also involved in opposing this project. Steve read the portion of the Special Exception application describing the number, design, and placement. It is clear that the lighting they have is more extensive than described in the plan. There was a modification to the original proposal, but that change did not involve the lights. He recommended that we pursue seeing that they be made to build what they said they were going to build in the testimony. There does not seem to be enough zoning enforcement of special exceptions to ensure that people build what they say they are going to build. He also noted that there is suppose to be a 100' buffer of trees that does not seem to be there. One thing to remember is that it would be useful to be able to cite case law in which someone didn't build what they said they were going to and were required to go back and make their project consistent with their plans. It was pointed out that the information submitted to the Permitting Services may not have been the same as what was testified to in the special exception. So, we need to check to see what was given to Permitting Services, and then to see if what they built matches that. Art noted that, if anyone was considering pursuing this through the court, you need to exhaust all administrative processes first and we still have at least one step left to go through. Ron Berger noted that we can go in two directions - one is to go to the Board of Appeals and the other is to go to the enforcement staff who sometimes need to be pushed a bit. Art indicated that we would definitely continue to follow-up on this.

It was noted that it might be useful to get the Mid-County Regional Services Center and possibly the Mid-County Citizens Advisory Board involved in getting the enforcement staff to act on this.

Requesting a Red Light Camera for the Rte 97/108 Intersection - Art noted that in the letter he mentioned earlier from Olney Mill Community Association, they asked that GOCA take the action necessary to get red light cameras installed at the intersection of Rte 97 and 108. Frank Ortega noted that traffic runs the red lights in all directions, so it would be useful to have them in whichever direction the County would put them up. Helene suggested that we need to find out more about what the criteria the County uses placing the cameras. There was consensus that we should follow-up with this suggestion.

At the conclusion of the meeting, Ron noted that there were brochures for Community Concerts' next season and copies of the Olney Chamber of Commerce Business Directories on the table at the rear of the room and he encouraged everyone to take them.

Respectfully Submitted,

Helene Rosenheim
Recording Secretary

People in Attendance: Art Brodsky, Mike Kelley, Ron Berger, Roy Peck, Jim Folk, Don Schmelter, Michael Kay, Edward Partington, Helene Rosenheim, Terri Hogan (Gazette), Frank Ortega, Khalid Afzal, Lori Wilen, Del. Tod Sher (District 14A), Del. Hank Heller (District 19), Carol Petzold (District 19), Peter Esser, Stephen Smet, Jackie Benn, Mark H. Simons, Ed Weisel, Bill Thewes, Jack Meyer, and Rick Coburn.