

DRAFT MINUTES – November 11, 2008

The meeting was called to order by Executive Vice President Matt Zaborsky. (President Sharon Dooley arrived towards the end of the meeting, but Mr. Zaborsky continued to preside over the meeting till its conclusion.) The minutes from the October meeting were approved with no corrections or additions. The agenda was accepted with 3 additions.

PUBLIC COMMENTS

- Matt Zaborsky noted that the Mid-County Citizens Advisory Board, of which he is Vice Chair, will hold its next meeting on Nov 18th at the Olney Library. He also noted that anyone interested in receiving a copy of the County's Report on the Code Enforcement Work Group should let him know.
- Roy Peck noted that the rescheduled daffodil dig on Georgia Ave near its intersection with the ICC will take place on Nov 15th from 8:00-11:00 am. People can come and get bulbs for free.
- Janet Terry reminded everyone that the special Buy Local, Eat Local Night in Olney will take place on December 10th from 4:00-8:00 pm. It is being held to encourage people to shop in Olney and support local businesses. She asked those present to encourage friends and neighbors to shop and dine in Olney that day. The Farmers Market and the Olney Chamber would be distributing flyers electronically.
- Dave Eskenazi noted that in contacting associations as a part of this year's membership drive, he learned from the North Gate and Sycamore Acres associations that they are concerned about the position being taken by the State Highway Administration (SHA) re: sound walls along the ICC route near their developments. They believe that area should have them, but they may not qualify under current SHA standard.
- Rob Peck also noted a SHA Forum on the proposed enhancements to the Rte 28/198 connector will take place at Blake High School on Nov 18th from 5:30 – 8:00 pm.

SPECIAL PRESENTATION

How the County Budget Works – Sharon Dooley introduced Joe Beach, Director, Mont. Co. Office of Management & Budget, to present an overview of the County's budget process. Mr. Beach noted that the County budget consisted of (1) tax-supported funds that pay the bulk of the costs for the four major elements of the County government: MCPS, Mont. College, M-NCPPC, and the Mont. Co. Government, plus some aspects of the County's Debt Service and Revenue Stabilization Fund; and (2) non-tax supported funds that pay for some aspects of MCPS, Mont. College, M-NCPPC, Mont. County Government, Debt Service, the Housing Opportunities Commission, the Revenue Authority, and WSSC. The tax-supported funds make up \$120 million of the budget, the non-tax supported funds make up \$.5 million, and there is a \$ 4 million reserve fund required by County Code for use in serious emergencies. He discussed when inter-fund transactions can occur, and noted that the legislation submitted by the County Executive relating to ambulance (EMST) fees states that these fees, "supplement and not supplant" existing MCFRS funding and the 5 ways Fire Tax revenues can be used currently.

Mr. Beach noted that the County Executive's FY10 \$4,513.5 million projected budget resources would be funded as follows: 30% - property taxes, 29.4% - income tax, 12.5% - Intergovernmental fees, 7.9% - Enterprise funds, 7.4% - Other taxes, 4.9% - Fees, fines, & Misc, 4.4% - Grants, and 3.3% - Prior Year Reserves. That money would be spent as follows: 45.8% - MC Public Schools, 36.3% - County Government, 5.7% - Mont. College, 5.6% Debt Service, 2.7% - M-NCPPC, 2.6% - Reserves, 1.1% - CIP Current Revenue. Within the Mont. County Government (MCG) itself, exclusive of MCPS and M-NCPPC, their funding is allocated as follows: 40.3% - a combination of General Services, Recreation, Housing & Community Affairs, Permitting Svcs, Economic Development, Utilities, Human Rights, Finance, OMB, & OHR; 16.7% - HHS; 14.7% - Police; 11.7% - Fire & Rescue; 7.2% - Transit Svcs; 4% - Corrections; 3% - Transportation; 2.5% - Libraries

The timeline for the operating budget process is: Sept – Dec – MCG depts. prepare submission; Dec/Jan – agencies submit budgets to the County Ex.; Dec –Mar – OMB reviews and makes recommendations to County Ex; March 15 – County Ex sends budget to the County Council; Early April – County Council holds public hearings; Apr-May – County Council reviews the budget; by June – County Council approved budget. OMB's review of the agency submissions through the eyes of the County Ex's priorities. And, this County Ex. has put more emphasis on a "results-based" budgeting approach. Existing and new requests will be looked at to see what direct contribution they make towards achieving the County Ex's desired results. As of Sept 2008, there is a

projected gap of over \$250 million, with rising costs, and revenues down or flat. With revised revenue forecasts and potential further State Aid reductions, they anticipate needing to make further reductions in December.

Opportunities for public input include: through the County's website (www.montgomerycountymd.gov) and emails to the County Ex and County Council; letters, forums for input held by the County's 5 regional services centers' Citizens Advisory Boards, town hall meetings, County budget forums, County Council public hearings.

Contact information for the Montgomery County Executive Ike Leggett: Executive Office Bldg, 101 Monroe St., 2nd Fl, Rockville, MD 20650; (240) 777-2500; TTY (240) 777-2544, ocemail@montgomerycountymd.gov; and for the Montgomery County Council: Stella B. Werner Council Office Building, 100 Maryland Ave, Rockville, MD 20850; (240) 777-7900; TTY (240) 777-7914; Fax (240) 777-7989; county.council@montgomerycountymd.gov

Some of the points made during the question and answer period include:

- Net profit from beer and wine sales is \$20-25 million.
- There are no plans to raise transfer and recordation taxes.
- The County is now using CountyStat to assess effectiveness of agency programs.
- The Dept. of General Services is now responsible for building county and municipal buildings.
- The County has been reducing budgets in all agencies, and are denying some requests for additional programs; have reduced some programs, but not eliminated whole programs, and abolished 1/3 of positions vacated as employees retire while only creating 30 new positions.
- The County Ex is proposing 2 furlough days for County employees, but is not sure when they will happen yet; and while he is not currently anticipating more, it is possible.
- The data presented was for the FY10 budget. FY09 is expected to have a surplus, but that could change.
- The County Executive is committed to not raising property taxes above the Charter limit. The Ficker Amendment voted on in the last election will affect the County Council's ability to raise any taxes.

How to Appeal Your Home Tax Assessment – Arnie Gordon noted that he is one of 3 members and 1 alternate of the State Property Tax Assessment Board. Members are nominated by the County Ex, and confirmed by the County Council. It is a State body separate from the State. Dept. of Taxation that assesses property values. There are only 60-65 assessors in Montgomery Co., and 330,000 houses. The State has a triannual assessment program. Assessments are based on full market value of homes. Every home is rated on a computer-assisted assessment worksheet that looks at the value of the land, the square footage of the land, and the square footage of the living space, exclusive of basements and garages. Appeals have already been up 1,000 over the last year. Homeowners get an assessment approximately every 3 years. The State cannot go up in an assessment more than 10% over the previous assessment.

To appeal, you have to convince the Board that the State assessment was too high. To get a sense of whether your assessment is reasonable, Arnie suggested asking for the COMAS worksheet for your own house which costs \$1. Then you want to find out some details for other houses in your neighborhood. On their website, you can ask for an appeal and can ask for a list of recent sales in your area which is a good starting point for deciding if you want to appeal your assessment. The agency doing the assessment looks at the COMAS' for other houses in your area. You are looking for houses on similar square footage, grading, house size in similar area as yours that was sold for less than your assessment. You have 30 days after you get your assessment to appeal, unless there are some extenuating circumstances. You can submit a "Petition for Review" during the 2nd and 3rd year of the triennial process by the first business day of the the tax year assessment. The "Date of Finality" for the value of a house is as of the date the assessment was done. The fact that the value of homes in the area drop after that date is not a basis for an appeal for the 1st year of the process, but can be for the 2nd or 3rd years. If you have a reassessment of your home, for example for refinancing, and the assessment is lower, that can be submitted 10 days before the appeal is being held. The decision of the Board can be appealed to the Court of Appeals or you can reappeal with the Board. The State only sets the value of a property. The County sets the tax rate.

Proposed development of a storage facility in Sandy Spring – Joy Turner, the immediate past president of the Sandy Spring Civic Association reported that EZ Storage is proposing to build a facility in the business district in Sandy Spring on the site of the former WH Rental business. The property is zoned C-2 and this is a permitted use within that zone, but their Master Plan says uses should be useful and provide a benefit to the community in Sandy Spring. EZ Storage has stated that its largest market is the Olney area because there is not sufficient need in the Sandy Spring area, and they expect to draw from an area 3-5 miles from Sandy Spring, not residents in Sandy Spring. A similar proposal was turned down in Burtonsville because it was consistent with their master plan because it does not provide jobs for residents in Burtonsville. They appear to be moving down Rte. 108 looking for a site and have come to Sandy Spring because the land is available in a zone that permits the use, regardless of what the Sandy Spring master plan says about the goals for development in their business district. The community is trying to reinvigorate their business district and several new businesses have opened such as

the Willoughby Market and Dish Bistro & Lounge that contribute to the kind of village center they are trying to create to support the Sandy Spring community. A 900-unit storage facility is not appropriate in the Sandy Spring village center. It would be more appropriate for this use in a commercial or industrial zone, similar to where most of the facilities are typically located.

The Sandy Spring CA asked GOCA to support their opposition to this development proposal to the Park and Planning Commission (P&P). The developer has already submitted a preliminary plan and a site plan is going to P&P shortly to the Development Review staff. Their CA wants retail development in their village center that provides residents some benefit. They want to see shops, bistros, and businesses that will help them restore the quaint, walkable village atmosphere of their business district and a large use like this is incompatible with that goal. The village center in Sandy Spring is only 12 acres and this use would take up 2 acres of the 12, a very large percentage of that acreage. There are no other commercial areas in Sandy Spring outside of the village center. The proposed use is not a retail business and would not lend itself to foot traffic. The community has met with the developer and they have indicated they are not willing to modify the building as it has been presented to them. Opposition by the Olney community will strengthen their opposition.

In discussing the request to oppose the proposal, there was a concern expressed about taking action after only hearing one side of a situation. However, the consensus was that the past actions of other communities, along with the details of the proposal as explained by the representative of the Sandy Spring CA and the indication by the developer of their unwillingness to modify their proposal was sufficient basis for taking a position.

As a result, Arnie Gordon moved that:

GOCA OPPOSE THE PLAN TO BUILD A STORAGE FACILITY IN THE SANDY SPRING VILLAGE CENTER AREA.

The motion was seconded by Paul Jarosinski and passed overwhelmingly.

OFFICERS/COMMITTEE REPORTS

Treasurer's Report – Roy Peck reported that the current balance in the accounts is \$7,673.13.

Correspondence Report – Bob Beard reported that the correspondence included a letter from a letter asking for GOCA representation on a Good Counsel High School Liaison Committee with the community, so GOCA is looking for a volunteer to serve on the committee; a notice that MCPS will publish its recommended amendments to the CIP on Oct. 29th; a notice of a public meeting on Nov 19th on the Northwest Branch Recreation Master Plan, and a notice of a public hearing on Nov 13th on the Oakdale School site on Cashell Road; and a notice that Montgomery County is soliciting applications from either Republicans or Non-affiliated individuals for the Merit System Protection Board with a deadline for submission of Nov 12th.

Olney Chamber of Commerce Report – Joe Buffington encourage people to participate in the December 10th Buy Local, Eat Local Night. Many local business owners and operators are our neighbors and hire local residents, and it is important that the community support them through their purchases.

Olney Town Center Advisory Committee (OTCAC) Report– Jim Smith noted that the Committee is continuing to proceed with the development of a concept plan for a civic center/town commons area in the town center which is one of the three tasks given to their Committee. This will be a statement of the uses we would like to see in a civic center/town commons and the uses the community is willing to spend time seeking funding for with elected officials to make that desire a reality. The Committee is in the preliminary stages of developing the concept plan and is beginning an active outreach effort. Part of that will include doing a presentation of the initial draft concept plan at the next GOCA meeting. In January they will begin discussion with elected officials of the concept plan and the process of seeking public funding for parts of that plan.

The five members of the Committee who are responsible for compiling the document describing the proposed uses in the civic center/town commons met with the Carl M. Freeman Co Retail division overseeing the redevelopment of the Olney Village Center/Olney Town Shopping Center because they were interested in the space needs of these proposed uses. They have expressed some interest in consider it as one of the 4 anchors in the redevelopment of the lower shopping center. Their company has done a policy area traffic review in anticipation of their redevelopment effort and have identified 12 intersections that would require mitigation because of their development proposal. They are willing to do the mitigation for all of those intersections, but there is not enough land at the Rte. 97/108 intersection to allow for a mitigation that would meet the County standards. They are continuing to work with Park and Planning on this issue.

Jim noted that the County is holding a series of public forums in preparation of the upcoming review of the Annual Growth Policy. One thing the community has to come to terms with is that more development will attract more traffic and how we want to deal with that. It does not seem as though the community wants more traffic lanes in the Rte. 97/108 intersections, so other mitigations need to be considered such as the construction of the Georgia Avenue Busway discussed in the Olney Master Plan. There will be more traffic coming through that intersection because of many other reasons besides the redevelopment of the Freeman property so there is a need for other solutions besides widening the intersection, and some transit solutions may be a part of that solution.

Civic Federation Report – Arnie Gordon noted that State Del. Anne Kaiser, Dist. 14, has introduced legislation that would exempt County employees from having to pay property taxes and Civic Federation voted to oppose the legislation. He suggested that Del. Kaiser be invited to the December GOCA meeting to talk about the legislation.

Membership Report – Matt Zaborsky reported that Christie Estates is the latest association to renew their membership. He thanked Dave Eskenazi for helping get some of the inactive associations to rejoin GOCA.

President's Report – No report.

OLD BUSINESS

Inter-County Connector (ICC) Update – Paul Jarosinski reported that the current plans for Georgia Avenue around the intersection of ICC indicates that there are 3 northbound lanes north of Rte. 28 that will reduce down to 2 lanes north of the ICC. They also show 4 traffic lights for the interchange that are meant to be 4-way stops. But he feels that only 2 of them are needed. He felt that the one for the Preserve and one for southbound traffic on Georgia were not needed. Roy Peck noted that the plan is still in flux, so there is still time to raise issues relating to these proposed traffic lights. The consensus of the meeting was that GOCA should send a letter to the State Highway Administration raising these concerns and asking for a copy of the final plans.

NEW BUSINESS

2009 GOCA Officers Nominating Committee – Sharon Dooley noted that it is time to begin to put together the slate of 2009 GOCA officers. So, she has asked Ron Berger, Art Brodsky, and Helene Rosenheim to serve on a Nominating Committee and they have all agreed to serve. They will need to present a slate at the January meeting that will be voted on at the February meeting. The new officers take office at the conclusion of the February meeting. It was noted that this year a number of the current officers are not interested in continuing in their positions and some offices may be contested. Candidates need to be present at the meeting for the election, and the associations they represent or individual memberships need to be in good standing which means they have paid their dues and submitted written documentation of who their delegates are.

Proposed Bus Rapid Transit System Legislation – Arnie Gordon noted that Councilmember Marc Elrich had introduced legislation to create a rapid transit system for buses for the County that he felt was a good plan that has been receiving wide support. He suggested that GOCA invite Councilmember Elrich to speak to GOCA about the proposal. Sharon Dooley indicated she would invite him to a future meeting.

Following this discussion, the meeting was adjourned.

Respectfully Submitted,

Kathleen Donodeo

Kathleen Donodeo, Recording Secretary

People in attendance:

Joe Beach (MC OMB), Bob Beard (Homeland Village), Jackie & Danny Benn (Fair Hill Farm), Ron Berger (Norbeck Meadows), Art Brodsky (Cherrywood), Joe Buffington (Olney Chamber), Keith Carlson (Hallowell), Charles Huebler (James Creek), Sharon Dooley (James Creek), Dave Eskenazi (Norbeck Meadows), Veronica Everett (Victoria Springs), Arnie Gordon (Norbeck Meadows), Jim Haddow (Hallowell), Alex Hamilton (Norbeck resident), Terri Hogan (Gazette), Paul Jarosinski (Cherrywood), Ruth Laughner (Olney Farmers Market), Walter Lee (Environ, OTCAC), Hank Lieberman (Sandy Spring Museum), State Del Roger Manno (Dist 19), Astrid Pages (James Creek), Roy Peck (Norbeck Meadows), Dave Petersen (Covered Wagon Way), Theresa Kyne Robinson (Olney Oaks), Helene Rosenheim (Highlands/MCRSC/OTCAC), Jim Smith (OTCAC/Oatland), Mike Sullivan (Christie Estates), Janet Terry (Olney Farmers Market), Joy Turner (Sandy Spring), Kathy Virkus (Sandy Spring Village), Ed Weisel (Norbeck Meadows), and Matt Zaborsky (Norbeck Meadows).