

May 11, 2010

President Matt Zaborsky called the meeting to order at 7:30, and after introductions Charlie Kuebler approved the agenda and minutes and Steve Cohen seconded both.

PUBLIC COMMENTS

Barbara Barry said she heard the Olney Library is closing in June instead of September and asked if GOCA could give a luncheon or do something else in honor of the employees. Matt Zaborsky said that would be fine. Helene Rosenheim received an email stating that because of budget costs, the library would be closed earlier than September. Management will be laid off, but others will be reassigned. Helene still needs volunteers for Olney Days. Brad Branch is concerned that teenagers will still lack facilities after the town center is revitalized, and Matt responded Freeman is aware of this and the Olney Town Center Advisory Committee has worked hard to address this.

SPECIAL PRESENTATIONS

Matt Zaborsky noted the legislators who were present and asked them to speak no longer than five minutes. Senator Rona Kramer shared that after attending a District 19 meeting, others will come.

A. Rona Kramer, State Senator

Committees: Budget and Taxation, Affordability, and Capital Budget. Senator Kramer said the state kept the cap on affordability as low as it has been, but the state increased its bonding capacity to borrow more over her objections. According to Senator Kramer it allows the state to go further into debt without fixing a structural deficit. This is the second year of the two-year federal stimulus money, and now the state will have to balance its budget without it. When state revenue is increased the burden has fallen on Montgomery County. For example, teachers' retirement will begin to be pushed down to the county, and within five years half of the retirement will be paid for by locals. Montgomery County is already paying 80% of the school costs and the state pays only 20%, but the opposite is true in Prince Georges County. She urged the Montgomery County delegates to stand firmly against allowing the teachers retirement to be pushed down to the county.

Sponsored or Co-Sponsored and Passed Bills:

1. The Developmental Disabilities Waiting List Equity Fund alleviates the burden on families who have children with disabilities who no longer are in school, but the state has not funded services for 19,000 families because of the tight budget. However, Senator Kramer was able to get a contribution for this population as a check-off on the tax returns.
2. Road salt run-off has caused much damage and scientists say by year 2020 our water may not be potable. Siblings Senator Rona and Delegate Ben Kramer passed a bill requiring the Maryland Department of the Environment and the State Highway Administration to set standards for all government entities that use road salt, and each local jurisdiction will place safety first. The state will use new and safer products, such as beet juice and a by product of vodka distillation.

B. Anne Kaiser, State Delegate

Committee: Ways and Means, Education (Chair). The state has funded education well in the past eight years and held down tuition for four years. The University of Maryland has dropped from the 6th least affordable public university to the 16th least affordable. Investments in the bay have enabled the crab and oyster populations to grow significantly. She shared that issues are discussed and debated in committees of about 22 people.

Sponsored or Co-Sponsored and Passed Bills:

1. Maryland is in line to potentially receive \$ 250 million federal dollars in the Race to the Top program. Education legislation changes will give support and incentives to teachers and increase accountability.
2. A bill from Michael Busch, the Speaker of the House, will improve communication and collaboration between police and schools and improve gang prevention and intervention.
3. A local bill supports local wineries through wine tasting at farmers' markets.

C. Karen Montgomery, State Delegate

Committees: Health and Government. The assembly has been preparing for federal health changes. Some will pay more, but more will be covered. She is very interested in preexisting conditions and the behavior of insurance companies. Legislators sometimes intervene on behalf of constituent whose insurance company have stopped paying a patient's bills; 95% of the time a mistake has been made by the insurance company. Maryland has the 13th highest rate of foreclosure in the country, mainly due to hospital bills. A local family was recently hit by a \$35,000 health bill, and she and Senator Ben Cardin contacted Deutsch Bank to intervene.

Sponsored or Co-Sponsored and Passed Bills:

1. Hospitals – Financial Assistance and Debt Collection: The new bill states that if a person at the poverty level enters a hospital, the hospital must inform the individual of all the available supports and give the reduced rate. Hospitals must work

with those who do not fit into that category and not turn them over to the collection agency. The new law also states the hospitals can put on a lien on the house but cannot collect the money until the house is sold.

2. Drug Safety: The new law saves the state a couple of \$100,000. We now pay a small fee as a participant in a consortium with a company that stores and distributes pharmaceuticals. The two states that do not conform to Maryland's laws will not be allowed to distribute their drugs here. Delegate Montgomery also shared the Lyme Disease two-year study will be soon published, and senior care cost will be reduced through efficiency improvements.

D. Teresa Healey-Conway, Legislative Aid for Senator Mike Lenett

Senator Lenett's Sponsored or Co-Sponsored and Passed Bills:

1. A bill to remove the prohibition from voting for those with mental disabilities under guardianship
2. A bill states that tenants renting a home are provided with a notice that the home is in foreclosure so these individuals will not be evicted. Federal legislation since then has given the tenants rights, so the bill was adjusted with amendments. Now many people with a valid lease can stay in the home until the lease is terminated or up to 90 days
3. An important component of the gang bill addressed by Delegate Kaiser prohibits the aggressor from attending the same school as the victim.

E. Ben Kramer, State Delegate

Sponsored or Co-Sponsored and Passed Bills:

1. A bill that makes Maryland the first state to criminalize those who use unreasonable influence to take assets from seniors
2. Maryland's Silver Alert bill enables the rapid dissemination of information when a patient is missing
3. A bill to regulate reverse mortgages and put caps on fees
4. A bill that places additional requirements on those who sells investment or retirement plans to seniors - Now educational standards and continuing education credits are required for those who want to sell such plans to seniors.
5. A bill to require an advisory board to identify sex offenders residing in nursing homes;
6. Delegate Kramer thanked Roy Peck for identifying the road salt as a major problem.

F. Roger Manno, State Delegate

Delegate Manno shared that the teachers' pension is under funded by \$19 billion and the assembly, mainly the senate, is interested in transferring the pension to the counties. This would cost Montgomery County \$160 million per year. Rating agencies are looking at our pension and healthcare liabilities and we must figure out how to make those indebted trust funds solvent.

Sponsored or Co-Sponsored and Passed Bills:

1. A bill to prevent insurance companies from raising the cost of long term care for people with genetic predispositions
2. The Shift Break Bill mandates breaks for all employees. Workman's compensation has been tied to long working hours.
3. A governor's bill to change the unemployment tiers of Maryland to align with federal recommendations for improvements.
4. The Smart Energy Now Bill is a comprehensive energy planning bill to seek alternative sources of energy. A team has found ways to reduce the costs of the bill.

G. Questions to Legislators

1. Ellen Bogage asked what we can expect to see in taxes and Senator Kramer said there is a proposal to increase income taxes and the millionaire tax may be extended although many articles have described that tax as a failure because so many millionaires have shifted their residence out of state. Fees will increase. Delegate Kaiser said the transportation trust fund is often raided for other areas, and a gas tax is being considered that would capture money from anyone who drives on our roads. There is also an alcohol tax; the tax on beer and wine has not been raised since 1962, and the tax on hard alcohol has not been raised since 1955. There is a little more support this year than in other years.
2. Ed Weisel asked if anyone in the room has long term care insurance through the Maryland Long Term Care Partnership. He was informed that in order to qualify for Medicaid in the state a person still in the community who has a partner who is incarcerated in a long term facility is allowed to keep up to \$105,000 of the joint assets. The Medicaid Asset Protection component of the partnership enables people to keep assets equal to what the policy pays in benefits. Mr. Weisel wonders why the Maryland policy is more generous than his federal long term care plan. Delegate Montgomery said this will likely change and some of these situations are plans created by the insurance companies. Such plans create a conflict between the state and federal governments.
3. Barbara Barry expressed a concern about rising government costs and Karen Montgomery explained that part of the state's health plan will reduce costs by one-third by keeping seniors at home or in senior living centers instead of nursing homes. Anne Kaiser said that over the past four legislators have reduced the budget by \$5.6 billion. Barbara Barry also thought the county should pay for the teachers' pensions.
4. Paul Jarosinski asked Delegate Ben Kramer if the legislators could bring HB 743, a drunken drivers bill, to the floor even though one legislator is against it. Delegate Kramer explained the bill would have required that anyone convicted of drunken driving would be required to have an ignition interlock device in their car. He said New Mexico reduced drunken driving fatalities by more than one third through this device within five years. Arizona enacted this requirement in 2007 and experienced a one third decline already. With the limited ignition lock device Maryland, in 2009 3,500 drivers could not start their cars because their alcohol levels were .8 or higher. This is not punishment but does ensure that only sober people can

drive. In Maryland 150 lives are lost each year in Maryland. Delegate Kramer kept a block of colleagues together but the committee chairman blocked the bill because the legislators would not vote for his amendments. The bill has the governor's and many legislators' support.

5. Jackie Benn shared a co-worker drives drunk because she does not own the car she drives and thinks the law only applies to the car owners. Delegate Kramer said Maryland enforces this law very well, and a person does not have to own a car to be fined for not using the ignition interlock device.

6. Arnie Gordon explained that the reason Maryland does not have a high alcohol tax is because of the strength of the alcohol lobbyists in Annapolis and because the senate president, Mike Miller, is opposed to the tax. Senator Kramer and Delegate Kaiser thinks support is growing in Annapolis for an alcohol tax.

OFFICERS/COMMITTEE/LIASON REPORTS

Treasurer: Roy Peck told us GOCA's balance in a recently sent report was \$12,103.45, but after including the expenses and income the balance is \$1,794.61. The 3,700 deduction is for the Olney Days stage rental, but Joe's Ride will bring in income. Theresa Kyne Robinson then submitted her bills to Roy for the audio recorder and case that together cost \$124.69, and Mr Peck gave her a check. Montgomery General donated \$500.

Correspondence Secretary: Ruth Laughner passed around the binder and shared it contained a letter from the state highway.

Chamber of Commerce: Joe Buffington introduced the chamber's executive director, **Virginia Mauk**. She shared she met last week with Councilman Mike Knapp, Police Commander Nancy Demme, and representatives from the police departments' budget office who assured her the police station will remain and be used, but did not say how it will be funded. Next week more will be known when the county budget is completed. The chamber is asking for \$3,300 from the county for electricity and phone line expenses. It is currently manned Monday through Wednesday with volunteers. She listed the benefits to the community of having a police substation: drop off lost tags or get help finding lost tags, have an office sign off if you have a broken light, and get a peace or restraining order. The substation is also convenient place for officers to print out papers for court. The chamber currently oversees the substation but is looking toward the community for support.

Olney Town Center Advisory Committee (OTCAC): Bob Beard asked Helene Rosenheim to address earlier comments by Brad Branch. She said Freeman has approached many movie vendors to replace the closed theatre but there is limited space and the four year plan has expanded to a ten year plan because of the economy. All the movie vendors who expressed an interest favored an expanded space and shorter time frame. Brad Branch said the public perception is there are many grocery stores and restaurants, but there is only a skate board park for children. Helene responded there is now an interim focus to just maintain vibrancy. She shared that the committee is sensitive to this need, and a teen center is a focus of Project Change. Arnie Gordon said that anchor tenants such as movie theatre owners, only pay \$2 -3/sq. ft., and a developer needs higher paying clients to balance such tenants. Jim Haddow said Eileen Cahill, Jim Haddow, and Matt Zaborsky met with the county executive office employees about including a civic center, green space and a tie-in to the Georgia Avenue bus way in the capital improvement plan. The next OTCAC meeting is May 25th at 7:30. Mr. Beard said Safeway would share its redevelopment plans at the June GOCA meeting. Rollin Stanley from Park and Planning visited last Friday for a walk around Olney with some GOCA members to explore potential pedestrian safety developments. Once the park and planning report on the walk is complete, the members will share the report at a GOCA meeting. Charlie Keubler asked about the traffic circle plan and Mr. Haddow said the safety issues of that are being explored because a small circle is safer for pedestrians and a larger circle is needed for safety vehicles. Mr. Beard said the circle was included as a possible option. When Virginia Mauk asked about the circle's traffic efficiency, Mr. Beard responded traffic moves more quickly when the circle is properly constructed.

Civic Federation: Arnie Gordon did not have anything new to report but said the recent meeting included a fine discussion about the agricultural reserve.

Membership Committee: Jim Haddow said that all the major 28 homeowners associations had paid, and he would contact the small civic associations which have not paid. He would work with members to ensure the delegate list is current and accurate and then send out a list. He thanked the members for donating \$1,300 for Olney Days.

Transportation: Paul Jarosinski said that in January the 97/28 project was \$1.1 million short of funds. He said Matt Zaborsky wrote letters to all state representatives in March and two senators wrote to Transportation Secretary Beverly Swaim-Staley. Mr. Jarosinski said neither of her return letters answered the question and or indicated the state will supply the engineering funds to make the project shovel ready. Delegate Kramer shared he and Senator Kramer met with the Ms. Swaim-Staley and learned the project does not qualify this round. Ms. Swaim-Staley also indicated the list of projects far exceeded what the state usually receives, and the list had already been submitted before the 97/28 project. If there is a second round of stimulus funds, other projects would have priority. Delegate Manno said the legislators had collectively highlighted the importance of this intersection and hopes it will be higher on the priority list next year. Roy Peck said in the draft

environmental impact statement the 97/28 intersection is the link between Leisure World and Montgomery General Hospital, and the ICC could add 10 to 15 minutes to an ambulance trip.

President's Report: Matt Zaborsky said he attended the April 22nd meeting regarding the impending Baptist church and the park and planning hearing on the Bowie Mill property but will let Chuck Graefe and Barbara Falcigno report in detail on those topics. He also attended at joint meeting with Miriam Altman, president of Sandy Spring, Jim Hanna, Joy Turner, and 97/28 was identified as one shared priority. Mr. Zaborsky volunteered the services of GOCA's land use committee regarding the impending development at 97/28. A copy of his testimony is on the GOCA website. Ms. Dooley said GOCA approved that development a few years ago when they showed their plans to GOCA.

Olney Days: Helene Rosenheim passed around a sign up sheet for volunteers and said students who volunteer must be in high school. She then shared the stage would be used for two days, the Olney Big Band at Olney Manor Park on Friday night and the Rock the Lot concert on Hilcrest Avenue on Sunday. When they decided to rent the stage they knew they would need to seek outside help and have approached five to six companies for contributions. The stage is required to create the quality atmosphere. She invited people to contact her through her email address on the website. Matt Zaborsky pointed out that Helene had received the Athena award this year.

Unfinished Business:

1. First Baptist Church: Matt Zaborsky shared he had asked Khalid Afzal why the church had never come to a GOCA meeting and was told the church sent information to the residents surrounding the area but is not required to contact "umbrella organizations". Chuck Graefe gave a summary so far. On April 22 the First Baptist Church had the required meeting at Emory Grove United Methodist Church, and on May 5th the plan was submitted for approval. There will be a development review on June 14th and by this weekend the plan, #82010080, will be up on park and planning's website. Mr. Graefe thanked GOCA for its strong support and reminded us the decision in his neighborhood will set a precedent for other areas in Olney. He then presented the church's four large and detailed plans to GOCA and offered to answer questions. The church will be 1,000 feet in from Georgia Avenue and will be the size of the Giant grocery store with about 200 parking spaces. He showed us a grinder pump with and predicted the wells will become polluted. The church wants 18% impervious surface and park and planning requires 9%. The church will have a gymnasium. Sharon Dooley said Northwest Branch and another stream runs through the property and asked who would monitor the streams. Mr. Graefe said the state spent millions protecting the waters along the ICC but the water upstream will negatively impact that. Barbara Falcigno shared three years ago she testified against the water sewer category change. She suggested we could reiterate our opposition at the next GOCA meeting, and Helene Rosenheim asked if legal action would be pursued on the storm water category change. Ms. Falcigno said a private institution can ask for water and sewer, and the planning board would give them conditional approval. She also shared that in 2008 the county council shifted the final legal authority for water and sewer approval to the planning board. Therefore, if the planning board decides the site plan is acceptable, the Baptist church will be approved for water and sewer and proceed with construction. Mr. Graefe informed us no trees will be saved in the road right of way. Roy Peck said approval of the storm water management plan was conditional upon plan approval, and Ms. Dooley said the representatives would not answer Mr. Graefe's question when he asked what the church would do if it poisons his well. Arnie said the church representatives appeared unprepared and could not answer any of their questions.

2. Bowie Mill Property: Barbara Falcigno said she did her best to testify on incompatibility in front of the hearing examiner. The 2 over 2s have been removed from the plans. Someone at the hearing had brought up the alleys in the plan, but since they had never been mentioned before it was too late to be concerned about them.

Announcements

Helene Rosenhem – Barry's Bash will be on May 17th at Olney Theatre.

Theresa Kyne Robinson said she will provide a synopsis of the minutes a few days after the meeting. Included in the synopsis will be a list of upcoming events.

Matt Zaborsky ended the meeting at 9:40.

Respectfully submitted,
Theresa Kyne Robinson, Recording Secretary

People in attendance:

Barbara Barry (Perspective Woods), Bob Beard (Homeland Village), Danny Benn (Fair Hill Farm), Jackie Benn (Fair Hill Farm), Ron Berger (Norbeck Meadows), Ellen Bogage (Victoria Springs), Bradley Branch (Olney Mill), Joe Buffington (ReMax Realty), Steve Cohen (Oak Grove), Bob Conn (Leisure World), Sharon Dooley (James Creek), Veronica M. Everett (Victoria Springs), Barbara Falcigno (Olney Oaks), Kevin B. Flannery (Leisure World), Arnie Gordon (Norbeck Meadows), Chuck Graefe (Southeast Rural Olney (SEROCA)), Jim Haddow (Hallowell), Fran Hayward (Sandy Spring), Teresa Healey-Conway (Office of MD Senator Mike Lenett), Terri Hogan (Gazette), Claire Iseli (Office of Montgomery County Councilmember Marc Elrich), Paul Jarosinski (Cherrywood), Anne Kaiser (MD House Delegate), Dolly Kildee (Office of

Montgomery County Councilmember Nancy Navarro), Charlie Kuebler (James Creek), Larry Lauer (Olney Mill), Linda Lauer (Olney Mill), Ruth Laughner (Williamsburg Village), Walter Lee (Environ), Eric Luedtke (Candidate for MD Delegate), Amit Mistry (Campaign of Sam Arora for Delegate), Karen Montgomery (MD House Delegate), Virginia Mauk (Olney Chamber), Buck Parr (Tanterra), Roy Peck (Norbeck Meadows), Theresa Kyne Robinson (Olney Oaks), Helene Rosenheim (Mid-County RSC), Pam Saul (Office of Senator Rona Kramer), Robin Shea (Oatland Farm), Joy Turner (Sandy Spring), Ed Weisel (Norbeck Meadows), Matt Zaborsky (Norbeck Meadows), and Craig Zucker (Tanterra (Candidate for District 14 Delegate))