



CIVIC FEDERATION NEWS

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January's Community Heroes: David Brown and Norman Knopf with Cary Lamari.

February Program

Montgomery Housing Partnership

by Bob Abrams, District 4 VP

While there is much talk about the lack of affordable housing in Montgomery County, there is at least one organization that is doing something about it.

Montgomery Housing Partnership (MHP) is a non-profit organization working to strengthen older neighborhoods through housing and community revitalization activities and to expand affordable housing in the County.

MHP has developed and currently manages 4 large multi-family developments totaling 348 units. In all but one case, MHP bought and renovated a distressed eyesore and substandard rental property and converted it to a high quality and still affordable rental home. A further mission is to serve as a resource to distressed neighborhoods by assisting with leadership development; needs assessments; intervention buying, renovation and sale of distressed single family homes and small apartment buildings.

At Amherst Square, MHP has created an innovative offering of education and human services programs to model the benefits of "community life" services for MHP

tenants and properties, and connecting MHP renters to their community. At the upcoming Delegates' Meeting, Mr. Robert Goldman, President of MHP, will discuss this organization's mission and operations.

Dan Tuten Named Community Hero

By Jim Humphrey, District 1 Vice President

At the February 9 Delegates meeting, the Montgomery County Civic Federation will bestow its Community Hero Award on Rockville resident, Dan Tuten. A longtime activist on issues affecting his local community, Tuten was also a driving force behind the founding in 2002 of Neighbors for a Better Montgomery. In naming Dan a Community Hero, the Federation especially recognizes his recent efforts in calculating the effects of recent Council changes to the Annual Growth Policy (AGP).

Mr. Tuten began his research last year, when certain Council members announced their intention to eliminate the process by which ceiling capacities for new jobs and housing had been used to pace the rate of development in the county. In order to insure the adequacy of public

facilities to support new growth, a process was proposed that would levy development impact taxes on new construction. Working with Council staff and long-range planners at Park and Planning (MNC/PPC), Tuten sought to evaluate the impact these changes will have on the pace of growth in the county, on the existing infrastructure deficit, and on the predicted budget deficit.

Last October, over the objection of civic groups and the recommendations of the Planning Board, a majority of the Council approved the elimination of staging ceilings in favor of development impact taxes. It is believed, however, that Dan's research influenced the Council to increase the new impact taxes from the levels initially proposed, insuring that developers will pay more toward the costs of infrastructure needed to support their projects.

In January, Dan briefed members of the Federation's Planning and Land Use Committee on his findings, which helped shape the testimony we delivered to the Council on legislation to implement the new growth guidance process. The analysis that Dan provided to the Federation and the Council can be viewed by visiting the Neighbors for a Better Montgomery website, www.neighborspac.org, and clicking on the "Research Center" heading.

In appreciation of the hundreds of hours Dan volunteered in networking with fellow civic advocates and county staff on the AGP and related issues, we honor him as a real Community Hero. Congratulations!

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Volunteers for Committees Sought

Delegates are sought to serve on the Nominating Committee and/or the Awards Committee. The Nominating Committee must be elected at the March meeting and will meet several times to nominate one person for each of the elected positions. No incumbent officer may serve on this committee, nor may the Committee nominate any of its members for any elective position. The Awards Committee will meet several times to make recommendations for recipients of the Star Cup, the Gazette Award and the Sentinel Award. Members interested in serving should speak with Cary Lamari at 301-924-2746.

From The President **By Cary Lamari**

Well folks, I never cease to be amazed with the behavior of Montgomery County's elected officials. It seems to me that they are more interested in producing histrionics than good governance. I also wonder what happened to their democratic ideals, concern for public safety, commitment to quality public programs and infrastructure, and the really important one - fiscal responsibility!

The County Council recently held a public hearing on a resolution concerning first time community grants for non-profit organizations in FY05. The County is already in a severe financial crisis with a projected budget deficit of over 100 million dollars in FY 04. This shortfall is projected to worsen in FY05. Mr. Andrews and Mrs. Praisner felt it prudent to warn non-profit organizations that the county government will not be in a position to help fund them. It was interesting to learn that many of the organizations that apply for these supposedly one-time grants end up becoming dependent on county funds as an integral part of their annual budgets and apply for grants on a yearly basis.

But the hearing was also interesting because a number of members of the council refused to acknowledge that they have had any culpability for the County's precarious fiscal situation. Mr. Silverman, for instance, seemed to blame the national economy exclusively for our fiscal crisis. He would not acknowledge that spending decisions made by this and past councils could be, in any way, responsible for our current problems. He attempted to obfuscate the true financial costs of the County's purchase of the Black Rock Cultural Arts facility because it was purchased using General Obligation (G.O.) Bonds. He overlooks the fact that bonds must be repaid with interest, and that every large County-owned facility entails high annual expenses for employees, utilities, upkeep, repair, insurance, etc. This council replaced our old, admittedly flawed, Annual Growth Policy with the new "Pay and Grow" policy. By eliminating the requirement for policy area review and the few building moratoriums restraining growth in already stressed areas, the Council has made a gift to developers that will cost the taxpayers some 30 million dollars a year. Apparently Mr. Silverman would like to blame the national economy for that decision as well.

The Council knew over 2 years ago that our fiscal situation was deteriorating, yet they did nothing but continue to spend and commit to future financial obligations that were beyond our means. It's time our elected officials stop playing the "its not my fault" game and make the hard choices needed to unite this county, deliver us from the red ink, and return us to a fiscally responsible pattern of governance.

My testimony before the County Council follows:

"We should not be here today, but we are. We are here today not because community grants aren't necessary for the enrichment of community interests, because they are. We are here because of the effects of an economic downturn that has been compounded by decisions made by this and previous councils that cumulatively have had a deleterious effect on our fiscal situation. The Montgomery County Council must exercise fiscal responsibility in the decisions they make. If they do not, the voters may restrain future councils in their ability to increase tax rates when needed, as is proposed in the upcoming election. Montgomery County has an approximately 3 billion dollar budget which increases yearly.

"Because of the projected deficit in FY 05's operating budget, we most likely will not have the ability to fund many needed and worthy community programs.

"Some may blame economic recession; others may cry loss of capital gain revenues. But you must look back to choices and priorities made by this and past councils to understand why and where we are today fiscally. We have now depleted the significant up to 60 million dollar surplus that was used to bolster our Bond rating, We now face a shortfall in our overall budget, some have said as much as 100 million dollars in the coming year. Some look to the State and hope it will bail us out. However, the State of Maryland is looking at a potential 700 million dollar shortfall this year.

"One cannot just look at community grants without considering the overall fiscal picture for basic essential services: schools, transportation, health and welfare related needs, fire and safety services. All of which are priorities essential for the comprehensive operation of a community nearing a million person population.

“ Some questionable decisions of this and past councils are:

- the lack of adequate school space—utilizing 680 portable classrooms in Montgomery County rather than bricks and mortar;
- an over-budgeted conference center;
- a new, over-budgeted Clarksburg jail that complements its partner facility 16 miles away now requiring 2 complete staffs and budgetary expense's necessary to operate both the jail and the central processing unit in Rockville and to shuttle prisoners back and forth to the Courthouse;
- the purchase of the Black Rock Arts Center during a time of fiscal crises, which may carry with it, potential future operating costs yet to be determined;
- the Strathmore Arts Center first voted in July of 99 at 68 million dollars then increased to 89 million in May of 2000 with a voted cap not to exceed a 44.5 million dollars contribution from Montgomery County and finally the additional funds needed bringing this facilities cost to 100 million dollars and rising.

“We are waiting to see if the private endowment funding initially promised will pay for the necessary operating expenses or whether additional county funds will be needed for operating expenses. Out of curiosity, has the County sold the naming rights to Strathmore, estimated to be approximately 10 million dollars in 1999?”

“And more recently this Council has removed policy area review as a tool to fund infrastructure. This will potentially cost taxpayers an average of 30 million dollars additional yearly, according to county staffers and public testimony also in a time of fiscal crisis. And finally, Bill 36-03 the Fire Bill. This Council is considering restructuring Fire Services operations that has served Montgomery County well for 100 years and which might require this council to buy facilities and equipment from Volunteer Corporations. It has the potential to reduce Volunteer Fire Safety personnel resulting in new costs to the county estimated to be from 30-50 million dollars each year.

“Community Grants are only 3.5 million dollars. However, where is the money to come from? It is irresponsible and fiscally reckless to raise taxes further. This Council must review decisions of the past, restructure priorities and reduce its spending. It's time the Council takes the same proactive steps private businesses must take

during fiscal downturns. It is time to demonstrate leadership, and thank you, Mrs. Praisner and Mr. Andrews for putting all county expenses on the table and demonstrating the leadership necessary to bring us out of this crisis.”

Bylaws Committee Meeting

The next Bylaws Committee meeting is **Wednesday, February 18**, at 7:30 PM at Dan Wilhelm's house. Call (301-384-2698) if you need directions. We will finalize the last reorganization changes and then begin discussing substantive changes to Article 2, Membership. All delegates are welcome to attend the meeting. If you have criticisms or suggestions regarding "membership" and cannot attend, please email your ideas to Dan at djwilhelm@erols.com.

MCCF Board of Education Candidates' Forum

by Robert Adelman, Education Committee Chairman

The Education Committee of the Montgomery County Civic Federation will host a Board of Education Candidates Forum, on **Thursday, February 12** from 7:00 to 10:00 PM. Modeled after the highly successful forum held in 2002, this public dialogue will take place at Crossway Community (3015 Upton Drive, Kensington, just off University Boulevard, west of its intersection with Viers Mill; plenty of free parking). The March 2 Primary is a key part of the process that will decide the occupants of three of the BoE seats: one at-large, as well as the seats for districts 2 and 4. All current incumbents and their challengers have been invited to participate.

After brief opening remarks, the program will focus on questions from the audience: questions will be directed to candidates randomly - based on a rotating schedule - and each response will be followed by a brief "rebuttal" by one or more of the other candidates, also chosen randomly on a rotating schedule. This mechanism has proven to allow for a large number of audience questions and a lively debate involving all the candidates. This is a wonderful opportunity for all interested citizens of Montgomery County to learn more about the declared candidates for seats on the BoE and to make informed decisions about

who they will select to help run the complex system (Montgomery County Public Schools) that educates our children. For more information, contact Mark Adelman: adelman3@erols.com; he and his colleagues on the MCCF Education Committee urge you to attend! If bad weather forces cancellation on 2/12, the Forum will be held on Friday, February 13, same time and place.

County Budget: Say It Isn't So!

**By Chuck Lapinski, Public Finance & Utilities
Chairman**

Just before Thanksgiving, the County Executive stated that the new budget he is working on will have a deficit of over \$200 million. But you shouldn't be surprised! The reserve funds of the past have been depleted to balance the current budget which is also running in the red. There is a structural problem. Expenditures have been and are projected to continue to grow at more than a 9% compounded rate over the next several years. Not to worry. The good news is that the Exec says that he won't raise taxes and fees this year. Trust Him?? After all, he and the Council conspired to raise more than \$200 million through increases in taxes and fees this past year. So, you ask, just how is he going to do this?

On the revenue side, income tax receipts are down a tad! About \$67 million is the current estimate. But, that shouldn't come as a surprise when you use optimistic projections, should it?

Duncan's administration has given us whooping great increases in property taxes in both absolute dollars and percentage because of the high growth of assessed property values. And, next year's property tax increases will be even larger, as will those for future years! Of course the tax cap rate will probably be exceeded again this year by super-majority vote of the Council, as it has been for the last two budget years.

Where will the budget cuts come from? Well, first the Exec is going to cut \$5 million each from the County's and schools' budgets for the coming year. Then he sends a memo to the Council with a bunch of little cuts that, for the most part, can only be described as vindictive and nasty: reductions in human services and library hours for instance - in short, cuts that will hurt the average, every day citizen/taxpayer. Further cuts to balance the budget

get a little mushy as the budget is a "work in progress." Perhaps Duncan believes that this is when "a miracle happens!" But the "miracle" didn't happen this past year, nor the year before! Should we really expect a miracle to save us this coming year?

The budget continues to ignore completely and fail to tackle the principal cause of the structural deficit problem. I'll hold you in mild suspense so that I am not accused of flogging the same old horse again. [Hint: what went up by 1.1% this past year on the national level, but went up by 3.5% at the County level? Of course! Guaranteed wage adjustments!] The private sector is not giving 3.5% general wage adjustments. And the private sector doesn't give average annual step increases of 3.5% in addition to the GWA either! This totals 7% per year compounded over the term of the contract for 3 years! Did your wage income go up by more than 22% over the last 3 years (that is 7% compounded)? Is this fair to you, the taxpayer? I believe strongly that all agreements must be fair to both County employees and taxpayers. In my opinion, for too long, these agreements are not fair to the taxpayers. Virtually all the contracts are expiring, and are in negotiation. And, then will we have a productivity increase "miracle" as well?

But, there is more. The Exec has submitted his Capital Improvement (CIP) Budget to the Council. I just started the long review. Excluding \$516 Million for WSSC, it is a \$2.2 Billion budget reflecting a 17.7% increase over the last CIP planned for the next 6 years. Everybody that wanted something got it, at least to some degree. But the planned FY05 budget is almost 14% lower than the current year's. Adjusted for inflation, it is an even larger decrease. Excepting money going to the schools and Montgomery College, I consider most of the increases shown in the out-years to be a budget fiction. For instance, there is an FY05 increase allocated for County highway and road resurfacing. As Duncan cut this line item significantly over each of the last 6 years, this is long overdue and a drop in the proverbial bucket. It is a one year increase to be followed by a 50% decrease in FY06, just one example of the out-year budget fiction.

Are we funding all the right things appropriately? I don't think so. Here are three examples:

- Last spring, the Council was pressured to come up with \$4 million to bail out the Black Rock Arts Center in the up-county.

- About 30 years ago, the County's taxpayers paid to rebuild Rockville's town center, a project that should have been funded completely by the City of Rockville. Now, the Council is being pressured to provide over \$12 million (over the next 5-6 years) to again rebuild the Rockville Town Center.
- The costs to construct Strathmore Hall, the fine arts center, are nearly twice those originally projected. Contributions, while good, aren't as large as were expected. And, now there is at least a \$9.6 million construction cost overrun.

The Exec is demanding that the Council fund at least half of the Strathmore Hall overrun this year (he wants the state to pay the other half, but that's not about to happen!), or he will halt construction! Now that strikes me as a nasty threat!

But where else will the money come from? Will the "End Gridlock" majority on the Council again cave in to pressure to approve these costly projects saying that they are doing this "on the taxpayers behalf"? In the meantime the MCPS school construction/renovation budget is constrained and increasingly reliant on County funds as money we should get from the State fails to come our way. And the County's CIP budget for roads is down by over 50% since 1996.

Add to this, we will have a 3% rate increase for WSSC water and sewer. Actually, prudence suggests that the rates should have increased gradually over the last several years to cover system maintenance costs. And then the state... And the tax and fee increase beat goes on...and on...and on!

Green Buildings Coming to Montgomery County

by Wayne Goldstein, Kensington Heights CA

Green buildings are coming to Montgomery County. Actually, they're already here, but in small numbers, six and counting. What is a green building? It is a building constructed using environmentally friendly and energy

efficient building materials and methods that also create a healthy and productive environment for those who end up working or living there. According to the Arlington County, VA website, the United States Green Buildings Council (USGBC) designed the Leadership in Energy and Environmental Design (LEED) rating system as a way "to measure the impact of buildings on the environment and surrounding community. This rating system allots points within seven specific categories for environmentally beneficial building materials and design."

Based on the number of points earned, a project can be certified by USGBC at levels of Silver, Gold or Platinum, each succeeding level requiring higher total scores. Here are some of the items that earn points toward certification:

- Reduce the heat island effect by installing a green roof using low growing, hardy perennials and by using light-colored materials on walls and other non-roof areas;
- Reduce the capacity (and cost) of heating, cooling and other systems by designing the building to reduce the need for larger capacity systems;
- Use renewable energy sources, such as solar power, on site to provide at least 10% of the building's total energy use;
- Recycle at least 50% of construction, demolition and land clearing debris;
- Use new construction materials that contain 5%, 10%, or 20% recycled materials (higher percentages earn more points);
- Use 20% or 50% of new construction materials manufactured regionally, which cuts down on transportation costs, including energy consumed to transport the materials;
- Use adhesives, sealants, paints, carpet and composite wood with low levels of volatile organic compounds (VOC), which have been the chief cause of sick buildings in the past.

Using green building principles requires more advanced planning and can make the building more costly, but the savings in operating costs soon cover those extra costs and then provide significant cost savings over the life of the building. With the increasing experience in constructing green buildings, the upfront capital costs for green buildings are becoming very close to those of a conventional building. While this cost barrier has just about been overcome, the final barrier is persuading builders to change their approach by incorporating green building methods.

The County Council, MNCPPC and MCPS have become increasingly committed to promoting green building in Montgomery County. MCPS has hired a green building coordinator to write a Facilities Management Plan for green buildings. Last year, the County Council passed an Environmental Policy that would require all County agencies to consider constructing new facilities as green buildings. The Planning Board recently heard from MNCPPC staff about ways to promote green buildings in the county. MNCPPC is committed to using such principles for its new headquarters building. The Planning Board Chair has asked MNCPPC staff to plan for a conference to introduce LEEDs to the building industry in Montgomery County. A group of county residents interested in environmental issues, known as Sustainable Montgomery, has also been lobbying and encouraging County government to take the steps that have been taken.

The conditions seem to be right to make building green the new standard for construction in Montgomery County in the very near future.

Speed Humps -- A Dissenting View

By Bill Schrader

At the start, let's acknowledge that absolutely no one likes driving over speed humps.

But they are installed for good reasons. First, speed humps are installed only on residential roads that have substantial traffic that includes significant numbers of vehicles being operated at speeds well above posted limits, i.e., recklessly, which threatens the safety and very lives of those living along such roads. Second, speed humps are installed only if a majority of residents on the street petition the County for their installation. Third, contrary to statements of speed hump opponents and statements in the January MCCF newsletter, the humps, regardless of design, never cause damage to vehicles or injury to occupants PROVIDING vehicles are driven over the humps at or below the recommended limit; said limit is posted on the warning sign before a series of speed humps or on the sign at the first hump of a protected stretch of road.

The County is quite capable of determining the design of speed humps that provide the needed degree of traffic control. I therefore urge the Montgomery County Civic

Federation to reject the Transportation Committee's proposed resolution asking the County to stop using parabolic design speed humps.

Editor's Notes

by Peggy Dennis

Putting the Newsletter out has come to be a team effort. I want to publicly thank Jorge Ribas and my husband, Bob Dennis, for their help in doing the layout and formatting; Dan Wilhelm for always having the address labels ready; and Charles Pritchard for his energy and patience in putting on stamps and labels and trekking the finished product to the Post Office and the Rockville Library for distribution. I also want to thank (in advance) Wayne Goldstein and Dean Ahmad for agreeing to take responsibility for the March Newsletter when I will be abroad.

I am now looking for someone willing to do the layout/formatting on a regular, volunteer basis. Please contact me at 301-983-9738 or mccfnewsletter@comcast.net if you can help.

Some General Assembly Bills Regarding the Elderly

by Dick Strombotne, VP, District 2

In the early days of the 2004 General Assembly session, Senator "Mac" Middleton (D-Dist. 28) has introduced a bill (SB 122) that would set up a task force to study migration of the elderly and retired into and out of Maryland. The task force will assess the impact of tax policies, State expenditures on the elderly and retired, and benefits of the elderly and retired to the State. All of the Montgomery County senators except Forehand (D-17) and Frosh (D-16) are co-sponsors of SB 122. In the 2003 session the Senate approved the bill without a dissenting vote but it died in the House Ways and Means Committee. Del. Jean Cryor (R-15) will be introducing the companion bill in the House of delegates. Delegates Kaiser (D-14), King (D-39), and Stern (D-39) will be co-sponsors.

In the five years between 1995 and 2000, almost 19,000 Marylanders age 65-74 left the state. In that age group, there was a net loss of about 8,000. At the county level, more than 20,000 Montgomery County residents age 65

and above migrated out in those five years.

I am asking the membership to approve the following motion: "The MCCF supports legislation to establish a task force to conduct a comprehensive and objective study of the dynamics of migration of the elderly."

Two bills will be introduced that would reduce Maryland's tax on retirement income starting in 2005. One would increase the personal exemption for a blind or elderly (age 65+) taxpayer from \$1,000 to \$2,400 to match the exemption for an elderly dependent. The second would phase in a 20 percent increase in the formula for the maximum amount of pension exclusion available to an elderly taxpayer or spouse. Del. Michael Gordon (D-17) is the primary sponsor of both bills in the House. Senator Donald Munson (R-2) is the primary sponsor of the personal exemption bill. Details are available on the website of the Maryland General Assembly at <http://mlis.state.md.us/>.

Delegates' Meeting Minutes, January 12, 2004

by Richard Zierdt, Recording Secretary

MCCF president Cary Lamari calls the meeting to order at 7:48 PM. Move to adopt the Agenda as printed, seconded, passes.

Treasurer Luella Mast: We came out slightly ahead in our Reception for Public Officials in December.

Minutes of the November Delegates Meeting: Moved acceptance as printed in the newsletter, seconded. Passed. [Secretary's Note: Corrections to the Minutes of November 10, 2003: Under "Program on Historic Preservation," the phrase "Truss addicts" should be "Truss attics." Also, regarding the ExComm meeting minutes of November 20, 2003, under "AGP Hearing," a clarification (provided by Councilmember Marilyn Praisner) is in order: Because of County Council actions on the Annual Growth Policy, there is a need to change the AGP law to conform to the new policy (i.e. eliminate policy area review from the law, etc.). Legislation doing that (Bill is 37-03) has been introduced with public hearing scheduled for January 13th.

Program: Electric Power Outages & PEPCO. Dave Padula,

Staff Forester, Distribution Field Support, with PEPCO. Michael Fowler, and Cory Summerson Constellation Energy; BG&E. Nancy Floreen, County Council member. Jerry Garson moderates the presentation/discussion. Typical homeowner's electric bill consists of three parts. Distribution is not deregulated. Electric generation services, at about 3.5c/kwh is locked in rates until the freeze is over. Transmission services are about .51c/kwh. All subdivisions after 1969 must have underground wires, however feeder lines remain above ground. What can be done about power failures in the future?
Ms. Floreen: The Council has not gotten deeply involved, because it's a public service commission problem. Council focuses on regional issues. Meeting in March. Responsibility of tree trimming is an issue. Tree trimming is one of the first programs to be cut. 12-18 month backlog. \$652,000 annual budget - too little.

William Gossman, Asset Management, Pepco speaks and gives a slide presentation. Understands the frustration of PEPCO's power outages. PEPCO analyzes its performance after each major storm. The Governor's Task Force has issued its recommendations, similar to the 1999 ice storm. James Whitt and Associates looked at PEPCO's performance. Pepco's overhead system is generally robust as compared to industry standards. A better system of customer notification is in place. Liability is always a major concern with Pepco. Pepco has named an emergency restoration director. Enhanced tree trimming. Pepco wants to cut, but tree preservation always a concern with DNR. Replacing tall trees with low-growing trees should be done. Undergrounding wires is an option, but costly. Pepco wants to build better relationships with its customers and the civic community. Tree trimming: 4200 miles of trees to trim over 2 years; 40 crews on a regular basis. Pepco receives customer requests for trimming, but trees on private property are not subject to Pepco maintenance. Pepco must negotiate with homeowners in these cases. Wires cannot be moved underground by Pepco for esthetic reasons alone.

Teresa Parson, assistant with the Public Service Commission. Her agency represents customers with publicly regulated utilities. Hired an engineer to evaluate performance of utilities, who submitted a report of deficiencies to the PSC. Severe drought weakened trees, followed by an above-average rainfall, made the trees susceptible to falling. Better reporting to customers would be helpful. A lot of crews were brought in from out-of-state. Expert witness stated that Pepco had fewer crews available. Tree problems are a huge issue. You can't tell private

homeowners to take their trees down. Undergrounding may be viable for areas with repeated power failures.

Kauffunger. Does Pepco work with Park and Planning or State Highway Administration? A: Pepco works with all state agencies. Adelman: Percent of wire knocked down on private property? A: Over 50 percent. Why was Pepco unable to hire contract work at the rates of other utilities? A: Pepco has always hired contractors. Ortuzar: Why weren't fiberoptic cables placed underground? A: they are different. Zierdt: Why did the Council vote for a budget lacking in tree maintenance that puts the public at risk? A: Ms. Floreen: Competing concerns. Dennis: Why not use neighborhood watch? A: We are looking at that. Q: Repeated calls to Pepco did nothing. A: Not the first time this has happened. It's a training issue. Slocum: Problem is with de-regulation. Incentives to invest money in other industries. A: Pepco is paying for study by James C. Whitt and Associates. Disagrees with Tyson's assessment. Goldstein: Could have used more crews. A: Pepco had more crews than it ever has. Wolff: Power is less reliable today than it every has been. Why? A: Trees are a problem in mature neighborhoods. Schofield: Why is telephone so reliable in these same storms? A: electrical wires are not insulated, but telephone wires are. Pritchard: Why isn't there coordination with the County? Ms. Floreen: there is coordination. Garson: Why problems here, but not in West Hartford, Connecticut. A: every community has electric problems. Q: Why are trees planted under wires? What is the difference between county maintenance and utility maintenance? A: site-plan review. County does not do as much as Pepco does. A: Pepco cuts for power considerations, the County trims for lighting. Different purposes. Sauer: How many 100-year storms do we have every year? Q: It was not a good year. Ahmad: Explain the 23% decrease. A: Pepco: just the tree trimming has remained. Contractor rates A: all utilities share crews. Pay rates was not an issue. Mast: Why can't wire be placed underground when a road is widened? A: Pepco has priced this. There is still a significant difference in price from moving wires .vs. undergrounding them. Humphrey: why did power go out before the storm began? A: Pepco is not familiar with that case. Q: Mont. County has fewer trees than it did 40 years ago. Why more problems? A: Trees have gotten bigger. Q: Why can't the rich US put wires underground? A: It's not whether Pepco can afford it, it is how the public can afford it. Q: Call-tracking dispatch system should be evaluated. Neighborhood has been out for 6 days. Even utility crew reports were not registered in the call-tracking system. Other companies are evaluating service

performance. A: BG&E: Given millions of records, there will be errors. Some small percentage of errors will occur. Q: Should have had crews in place before the storm. A: Pepco: we did, a significant number of crews. Q: Did Pepco's information match reality? A: there are some errors in our database: some customers are mismatched to their transformer, for example. Q: Over 50% of wire failures were due to private trees. What about the other 40-50%? What problems were caused by events other than tree damage. Lapinski: What is the business model of Pepco? A: Rates are reviewed by the PSC. Q: Does Pepco compare itself to other utilities in the area? It seems like Dominion Power was better. A: DP took 15 days to fully restore. We look at what we can do to improve. Lamari: Pepco does not see the long-term problems. A: Pepco is monitoring all its lines. If there is agreement between the state and community, Pepco will underground the wires.

Community Hero Award. Cary Lamari presents the MCCF's CHA to the law firm of Knopf and Brown.

Nancy Floreen: ZTA Increasing building heights in CBDs. Explains her position in favor.

New Member Organizations: Dan Wilhelm introduces new association, Shady Grove Civic Alliance. Moves their membership be accepted. Seconded. Passed.

Bylaw changes: Dan Wilhelm. Bylaw reorganization. No substantive changes. Dan moves that the changes to the Bylaws, as printed in the January Newsletter be adopted. Seconded. Passes unanimously.

Speed Humps: Dan Wilhelm. Moves that parabolic humps be banned. Seconded. Discussion. Moves to table the motion until next month when more information can be presented. Motion to table until next month passes 19-11.

Increased State Taxes for Transportation: Dan Wilhelm. Marvin Weinman: Moves to table until February. Seconded. Motion fails 17-18. Referring to Dan's motion printed in the January Newsletter, page 4, an amendment is made to strike items 1 (no ICC), 3 (limitation of uses), and everything after "\$650M per year." Seconded. Fails 3-a lot. Dick Kauffunger offers an amendment to include that Montgomery County receive on a pro-rata basis what MC pays by these increased taxes and receive federal moneys. Marvin: no one knows what "fair share" is. Charles Wolfe: new taxes may be apportioned. Amendment passes 22-2-3. Comment by Richard Zierdt: the motion deals with too many issues, and

should be considered separately. Motion passes 19-11-0.

Bill 37-03: Tom DeGraba. Bill would eliminate schools and transportation ceiling elements. MCCF's Planning and Land Use Committee moves that the MCCF oppose bill 37-03 and keep these ceiling elements. Proponents use increased MPDUs as a reason to eliminate the caps. Using the County's own numbers, impact taxes will generate \$115M over 2 years, but the county will lose \$180M because of infrastructure costs not covered by developers. Motion passes unanimously.

Election Reforms: Dale Tibbitts. Stenberg Commission report to come out at end of January will recommend state-wide voluntary public financing of election campaigns.

Meeting is adjourned at 10:34 PM.

Minutes of the Executive Committee Meeting, Thursday, January 22, 2004

By Lyle Schofield, Corresponding Secretary

Announcements: Peggy: analysis by Neighbors for Better Montgomery of impact of new AGP on future budgets was sent to all electronically.

Minutes of last ExComm neither discussed nor approved.

Treasurer's report: Luella. (1) has old MCCF envelopes if anyone wants any.

(2) December reception. Memorandum & hand outs. We are \$100 within budget. Price discussion: Some said cost too high; others that they were willing to pay more; others commented favorably on higher style of this event. Attendance: A number who RSVPed did not show due to weather, conflicting event. Timing: need committee and chair to plan event much earlier and get more publicity and exposure. Is December is too busy a time for the Annual event for Elected Officials. Perhaps June would be a better time when big awards are given out. Can we combine annual meeting & elections with party to honor elected officials & give major awards? If so, where? Cafeteria of COB? Also what day? Some attendees appreciated having party on Friday evening, others can never attend on Fridays for religious reasons and prefer Friday or Saturday. Suggest: rotate day of week Perhaps those honored in June should be re-honored at December social party.

(3) Budget is looking pretty good, because we are saving money and getting memberships in.

Need 23 new/renewing organizations to join to meet budget. Leggett and Ewing paid for their own dinner at December reception stipulating that the money be used toward membership or donations. Both are now associates.

(4) Meeting room for Delegates' meetings must be booked for '04-'05. Agreed we will meet on Columbus Day. Auditorium to be booked from 7:30 to 10:30.

(5) Printing costs are down a bit. Brothers does good work, but is disorganized. Bills do not reflect consistent rates, but Luella believes she has negotiated a very good and fixed rate that we can live with. Dan reported we now mail out about 150 newsletters each month.

Suggestion: if we can stay in the black could we use surplus to establish modest financial grant for student(s) involved in civic leadership? Have separate account for tax deductible contributions to fund this? Dick suggests we ought to maintain 1 yr operating expenses as a "rule of thumb". Jokes about county budget.

County Council Hearing on Budget and Community Grants. Cary testified in support of resolution proposed by Andrews & Praisner that community grants to non-profits be cut during fiscal crisis. Suggested we watch televised hearing on Friday and write to deplore attacks by other members of council on A&P and Lamari. Majority on council seem unwilling to acknowledge seriousness of deficit or take hard actions to correct out-of-control spending.

Long term consequences of decisions like Clarksburg Jail and Strathmore Hall are now coming home to roost. Dick: few examples of good fiscal management, from national level thru states. All levels are doing poor job. Support in a polite, constructive manner for those councilmembers trying to behave responsibly would be greatly appreciated.

Forum on City of Vienna: Reminder: we are co-sponsoring a presentation by Viennese city planner on 2/27 at MNC/PPC. Needs additional promotion, web site, etc.

Election Reforms: (Dale Tibbitts absent). Meeting with county attorney tomorrow to make sure wording is correct for petition. Also review by constitutional lawyer.

Website usage: Taxpayer's League does not have web site. Can their information be posted on our site? Motion defeated. Schofield to draft statement on policy governing how material gets posted on our website.

Presidents Report: Lamari: County gov't. not permitting us

to use county flag on our website. Interesting discussion on this, but now moot since graphics have been modified.

Programs: February: Affordable House (Abrams) and Vol Public Financing of Elections (Browning from Common Cause/Maryland). March: County Budgets. CIP budget out now but operating budget comes out 3/15 (1 week after March Del. Meeting). Full discussion of facts will be difficult, but postponing until April doesn't work either. April: City Stats.

Community Hero: Dan Tuten for February. Jim Humphrey to write piece for Newsletter. No suggestions for March.

Fire Bill 36-03: Volunteers are negotiating with council trying to work through the issues with this proposed bill. Mike Knapp seems disinclined to resolve issues with volunteers. Volunteers suggest addressing coordination and equipment. County Exec seems wedded to the one "super chief" concept.

By-Laws: Wilhelm: suggested changes sent out last night through Email. If no problems we'll go through for vote, but if there are any objections this will probably be put off for further talk.

Most of the articles have had "duties of" taken out for "responsibilities" to make wording clearer. Dean noticed that "board" to "committee" might be an issue, although Dan stated that was a typo in his document. Board (of Directors) is a sub-set of executive committee, and Board has legal control of organization. Dan asked Dean to review in detail. Luella pointed out that sections on dissolution and indemnity have been moved into separate articles (not removed) for clarity.

Next meeting for by-laws committee will be Wednesday, Feb. 18, 7:30 at Dan's house

Housing: Goldstein: DHCA has proposed through the executive to create more affordable housing by allowing accessory apartments by right. Primary requirement will be adequate parking. On many lots additional buildings might be permitted as accessory apts. Maximum of 5% in any geographic area including rental houses will effectively cap more units thru this route. Carey reported that at least 5 delegates have already contacted him with concerns about this approach. Discussion indicated there needs to be some notification, review and appeal process but without costs and delays of special exception process. Oversight & enforcement remain concerns. (This is a proposal).

Land Use Bill (Mansionization): Testimony was good,

well received, after clarification we supported the bill. Land use industry came out in strong opposition. Many homeowners don't like the clarification - they bought little homes in Bethesda and now they can't pop them up. full force fighting this (maybe all the attention cause problems in the end). Bill goes to PHED committee, report back in 60 days, then up for vote.

Membership Committee: Membership Chair & District VPs probably need to meeting to develop a strategy. But some new groups have joined.

Discussion of Bills Affecting Seniors: Strombotne: two bills of interest to seniors/retirees will be in State Legislature. Dick will write piece for Newsletter and proposed resolution in support of a study task force. Will use Sentinel Federation Corner as well.

Transportation: Wilhelm: Parabolic speed hump supporter to write for Newsletter in opposition to resolution proposed at last meeting. Also, a consultant from the state looking at "HOT" lanes (toll lanes for rich people).to meet with Dan.

Environment Committee: Pritchard: Suggested Wayne should take over articles for newsletter as he cannot write due to broken arm. Upper Rock Creek Master Plan success - some thought we should claim credit for helping achieving success, but Carey felt differently. Media opined (probably wrongly) that new master plan created net loss for the environment. Discussion of "LEED" principles. Goldstein will write article for Newsletter. Discussion about mountain bikes in conservation parks and strong, organized groups lobbying on both sides of this issue

Education Committee: Adelman: Reminder about BoE Candidates forum on 2/12. Someone seeking info on old meeting regarding testing. Susan Sellers may remember.

Newsletter: Dennis: April Newsletter needs advance planning due to Dennis's absence. Contributors will need to get stuff in before 3/18. Goldstein agrees to do late wordsmithing. Vote taken (motion passed, 1 no, 1 abs) to pay Dean Ahmad to format April Newsletter. Need reliable volunteer to do future formatting. Assignments given out.

Meeting Adjourned.

Delegates' Meeting

Monday, February 9th, 7: 45PM

Auditorium

County Council Office Building, Rockville, Maryland

AGENDA-Tentative

7:45 Call to order, Cary Lamari presiding
7:48 Adoption of Agenda
7:50 Announcements and Introductions
7:55 Approvals of Minutes
8:00 Community Hero Award, Mr. Dan Tuten
8:10 Program: Affordable Housing, Montgomery Housing Partnership
8:40 James Browning, Common Cause/Maryland: Stenberg Report On Voluntary Public Financing
9:10 Old Business
Budget: Luella Mast
Electoral Reforms Committee: Dale Tibbitts
Bylaws Committee: Dan Wilhelm
Committee Reports
9:30 New Business
9:45 Adjournment

The **Montgomery County Civic Federation** is a countywide nonprofit, educational, and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Delegates meetings are open to the public and are held on the second Monday of each month (except for holidays, July, August and December) at 7:45 p.m. in the First Floor Auditorium, County Office Building, Rockville, MD.

The **Civic Federation News** is published monthly. It is mailed to Delegates; associate members; news media, and local, state, and federal officials. Permission is granted to reprint any article provided proper credit is given to the "**Civic Federation News of the Montgomery County Civic Federation.**"

Deadline for submissions for the next issue: Midnight Sunday, February 22. Prepare submission as a MS Word, Word Perfect or text-only document, attach it to e-mail, and send it to mccfnewsletter@comcast.net. Please send all address corrections to Dan Wilhelm, 904 Cannon Road, Silver Spring, MD 20904, 301-384-2698, or djwilhelm@erols.com.

NEXT EXECUTIVE COMMITTEE MEETING

Thursday, February 19, 2004, 7:45 p.m.

RED BRICK COURTHOUSE

29 Courthouse Square, Rockville

(Note: there is free parking in front of the courthouse.)

MONTGOMERY COUNTY CIVIC FEDERATION

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