

Civic Federation News

Official Publication of the Montgomery County Civic Federation Serving the Public Interest Since 1925

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Session 784

WWW.MONTGOMERYCIVIC.ORG

February 2007

February Program: Police and Public Safety

by Arnold Gordon, MCCF First Vice President

The Federation's primary concern is good governance in Montgomery County. The performance of the Montgomery County Police Department (MCPD) is one essential aspect to the quality of our lives. Our membership is, therefore, very interested in the experiences and views of our police men and women and their elected (union) representatives.

Our program for the February 12 meeting will feature guest speakers Marc Zifcak, President of Lodge 35, Fraternal Order of Police, and Walter Bader, Immediate Past-President. They will discuss a number of issues including but not limited to: recruitment of officers and their qualifications for employment; officer training; pay and benefits; the strength and deployment of police personnel; the conditions under which MCPD personnel practice their profession; resources and budget of the MCPD, present and proposed; homeland security preparedness in the county and region; the FOP's take on the ability of its members to afford to live in the county and the need for such facilities as have been proposed in the "workforce housing" initiative; and the functions of the FOP on behalf of police and, how these compliment or burden the community as a whole.

Our guests will speak for 30 to 40 minutes, then we will have an open Question and Answer dialogue. Please bring your experiences, observations and questions for a vigorous discussion of the above issues and any more you wish to raise.

Mark Your Calendar Now for the Montgomery County Civic Federation's 2007 ANNUAL AWARDS BANQUET Friday, May 11, 6:00 to 9:30 p.m.

New Fortune Restaurant in Gaithersburg

IN MEMORIAM

Julius U. Hoke, MCCF Past President by Luella Mast

Julius Hoke, who served as MCCF President for two terms, 1960-62, died at the age of 88 in October 2006. Born in Pennsylvania, Mr. Hoke taught math at Leland Junior High School in Bethesda before joining the Johns Hopkins Applied Physics Laboratory where he helped develop the battery for the proximity fuse responsible for saving thousands of lives during the Battle of Britain in WWII. After the war he worked at the Naval

Inside
Transportation Priorities
Education Matters
State and County Budgeting and Your Taxes: Part 2 5
Planning and Land Use Report 6
County Attorney Fails to Defend Board of Appeals Ruling 6
Announcements 7
Lessons Learned From Clarksburg Town Center 7
Bylaws Committee February and March Meetings 7
Effort to Name Rockville Library for War Casualties 7
Volunteers Sought for Nominating and Awards Committees 8
Membership Report
Minutes of the Regular Meeting
Minutes of the Executive Committee Meeting 10

Ordinance Laboratory and the Harry Diamond Laboratories. He retired in 1991.

Mr. Hoke was the Chairman of the Montgomery County Committee for Fair Representation which was a member of the Maryland Committee for Fair Representation, the lead plaintiff in a case that went to the Supreme Court, was won in 1965, and changed the way the Maryland legislature was apportioned so that all citizens were fairly represented.

He was a founding member and President of the Nonpartisans for a Better Montgomery County, an organization whose purpose was to elect nonpartisan, civic focused, members to the Montgomery County Council. This movement strongly affected the election and subsequent decisions of the 1965 County Council.

Julius was an eclectic, avid yard sale devotee. He amassed the world's largest collection of antique automobile wheel locks, an anti-theft device required on early automobiles which were started by hand using no keyed locks. Donations in his name may be made to the American Association for the Advancement of Science (AAAS), P.O. Box 632031, Baltimore, MD 21298-8582.

Transportation Priorities

By Dan Wilhelm, Past President and Legislative Chair

By the time you get this newsletter, the Council will have held their January 25th (7:30 p.m.) hearing on transportation priorities. Since the public record will remain open for citizen comment for a few more days, and the Council will not make their final decisions until after the comment period has been closed, there is still time for all citizens to voice their views to our councilmen by telephone or mail, either snail or electronic.

At the conclusion of the Transportation Policy Report Task Force in 2001, MCCF members debated different projects and ended up supporting about 100 projects and opposing five. Overall, MCCF members gave higher priority to transit projects than road projects. The full list can be found on our web site. The road projects most favored by our are those designed to improve existing roads rather than building new roads.

By the time you read this, I will have testified and urged the Council to encourage the State to proceed with the following near-term projects

Transit Projects

- 1. Silver Spring Transit Station
- 2. Dedicated source for Metro Rail funding
- 3. Inner Purple Line, with conditions
- 4. Corridor Cities Transitway

Road Projects (to create two east-west roads with reduced traffic signal delay: MD28/MD198 and Randolph/Montrose Parkway)

- 1. Randolph and Georgia interchange construction
- 2. Randolph and MD 355 interchange construction
- 3. Georgia and MD 28 interchange construction
- 4. MD 355 and Cedar Lane interchange designed to support the planned increase in personnel at the Bethesda Naval Hospital.
- 5. Because of the Federal Government's decision to essentially double the size of the Bethesda Naval Hospital, we urge the county and state to investigate other intersection improvements near the hospital for solutions to handling the increased traffic that will be coming in a few years.
- 6. Randolph and Connecticut interchange design new project.

Two lawsuits have been filed concerning the ICC. The Civic Federation hopes that one or both judges will rule that the state failed to properly consider all the alternatives in the Environmental Impact Statement and return the issue to the state for further consideration.. When this occurs, we urge the county and state to discontinue plans for the ICC. We believe that our limited transportation funds can be better used for other projects providing greater benefit to the residents of Montgomery County. We do support widening Norbeck Road/MD28 and Spencerville Road/MD198 to four lanes between Georgia Avenue/MD97 and Colesville Road/MD29. This alternative would cost less than half that of the ICC and will provide the same traffic congestion relief as the much more costly ICC. The remaining funds could build a significant number of the state projects listed above plus others that we support.

As for county funded projects, we urged substantial improvements in bus transit, completion of the Montrose Parkway to Viers Mill Road now that construction of the western segment is underway, and several other small road projects.

Bylaw Changes

By Luella Mast, Bylaws Committee Chair

The Bylaws Committee and Executive Committee recommend the changes below to the MCCF bylaws. The reason for the proposed change is provided at the beginning of each article. The reason is bounded by brackets [] and printed in italics to make it clear they are not part of the bylaws. The full set of bylaws can be found on our web site.

ARTICLE III. ANNUAL DUES

[Reason for change is to clarify that the discount applies only to those joining for the first time. The rate will be included in the standing rules, a separate document.]

2. Partial years. Dues of <u>new</u> members joining after January 1 will <u>may</u> be reduced by forty per cent.

ARTICLE IV. OFFICIALS AND ORGANIZATION

[Reason for change is that the membership responsibility is assigned to the 2^{nd} and district VPs, and there is no need to also refer to these individuals as a committee.]

- 5. Standing Committees. The Federation shall have the following Standing Committees with powers and duties as specified in Article IX.
 - a. Environment
 - b. Education
 - c. Legislation
 - d. Membership
 - ed. Planning and Land Use
 - ef. Public Finance and Utilities
 - fg. Transportation
 - gh. Public Safety

The chairs of the Standing Committees shall be appointed by the President and confirmed by the Membership. Committee reports and recommendations shall be submitted to the Executive Committee for approval and any further action.

ARTICLE VII. DUTIES OF ELECTED OFFICERS

[Reason for change same as change in Article IV.]

3. Second Vice President. The Second Vice President shall serve as Chair of the Membership Committee be responsible for membership recruitment and retention. He shall conduct membership drives, evaluate the eligibility of applicants for membership, and transmit to the Treasurer all dues collected with identify of member and year.

ARTICLE VIII. DUTIES OF APPOINTED OFFICIALS

[MCCF has been operating with a database manager for years rather than the membership chair doing the job, the change is made to reflect our current operation.]

<u>5. Database Manager.</u> The Database Manager shall maintain the membership records, prepare Delegate and member mailing labels and perform such other tasks as may be assigned by the Executive Committee.

ARTICLE IX. DUTIES OF STANDING COMMITTEES

[Reason for changes is to limit bylaws to defining committee responsibilities and eliminate broad statements of where MCCF stands on an issue, which should be voted by the membership. Reason for eliminating membership committee is stated under Article IV]

1. *General*. Committee members must be members of the Federation. It shall be the general duty of each Standing Committee to monitor, evaluate, and report on the status and activity of matters within its assigned purview. In situations in which an issue impacts more than one Standing Committee, the Executive Committee shall assign and coordinate Committee tasks. Committee reports and recommendations shall be submitted to the Executive Committee for approval

and any further action. Committees shall represent and carry out established positions of the Federation which impact their area of responsibility, such actions to include participation in work sessions, hearings, and panels.

- 2. *Environment Committee*. This committee shall monitor, evaluate, report, and make recommendations concerning actions, policies, and laws which will have an impact on the environment and natural resources. Its goal shall be the preservation, enhancement, and restoration of air, water, flora, fauna, and soil resources.
- 3. Education Committee. This committee shall monitor, evaluate, report, and make recommendations concerning the programming, financing, and operation of schools and colleges within Montgomery County. Its goal shall be an educational system which assures a quality education for all students, operates with maximum efficiency, offers attractive working conditions for the professional staff, and provides a resource and programs which benefit the school neighborhood.
- 4. Legislation Committee. This committee shall monitor, evaluate, report, and make recommendations concerning proposed local, and state, and federal legislation which would have an impact upon our Quality of Life and the integrity of our communities. It shall also monitor and report on reviews and proposed changes to the County Charter, the operation of local government, and the procedures for citizen participation in the process of government. Legislation affecting the assigned area of a Standing Committee shall be handled by that committee.
- 5. Membership Committee. This committee shall conduct membership drives, evaluate eligibility of applicants for membership, bill for (in May) and collect membership dues, transmit to the Treasurer all dues collected with identity of member and year, maintain the membership records, prepare Delegate and member mailing labels, and perform such other tasks as may be assigned by the Executive Committee.
- <u>56.</u> Planning and Land Use Committee. This committee shall monitor, evaluate, report, and make recommendations concerning all on actions taken under, or any proposed changes to, the Regional District Act, Zoning Ordinance, and Subdivision Regulations, and Planning Ordinance. It shall be concerned with the methodologies and process employed and with the General Plan and master plans. It shall also evaluate the impact and implication for land use of other County policies such as Housing, Transportation and Education..
- 67. Public Finance and Utilities Committee. This committee shall monitor, evaluate, report, and make recommendations concerning the County's taxing, fees, County's taxing, spending, and borrowing policies and programs and concerning adequacy, charges, policies, and operations of the various utilities, primarily privately owned utilities to include cable TV, gas, electricity, and telephone companies but also with related public agencies to include community TV, WSSC, Housing Opportunities Commission, and the Revenue Authority. It shall be concerned with the annual capital and operating budgets, the property tax rate and assessments, income tax, excise taxes, user and impact fees, and the appropriateness and effectiveness of the use of public funds. It shall have the authority to call upon other committees for assistance concerning matters assigned to them, and such committees shall furnish the Committee with information and advice on the fiscal implications of such matters. It shall monitor and report on rate hearings before the Public Services Commission and County Council.
- 78. Transportation Committee. This committee shall monitor, evaluate, report, and make recommendations concerning the construction, operation, financing, and maintenance of public transportation facilities and services. It shall be concerned with public and private parking, state and county roads, the Metro system, public bus and taxi systems, and private traffic mitigation programs developed to comply with County requirements. Its goal shall be an effective and economical transportation system which provides adequate mobility and a reasonable level of service for all County residents.
- 89. *Public Safety Committee*. This committee shall monitor the mission, goals, policies, and practices of public sector and private sector agencies, institutions, and organizations providing public safety and related services, including the arenas of police, fire and rescue, corrections, public safety-related judiciary, homeland security, and public health, and to build coalitions with other community groups in furtherance of the mission of the MCCF Public Safety Committee.

ARTICLE XII. MEETINGS OF THE EXECUTIVE COMMITTEE

[Reason for change to that we are currently meeting on Wednesday, not Thursday and as the date is changed in the future we don't want to need to change the bylaws.]

1. Regular Meetings. The Executive Committee shall meet monthlyon the second Thursday following a meeting of the Membership, unless otherwise determined by the Committee at a. The time and place shall be set by the Committee.

One more item for future consideration: over the last few years we have discussed whether the date of our monthly meeting – the second Monday of each month – is best for our delegates. We know that Mondays are working evenings for the various incorporated towns and municipalities around the county. This is why we have had such poor participation from major areas of the county. And we know that the County Council has public hearings on Tuesday (and sometimes Thursday) evenings, the PTAs meet on the 1st, 2nd and 3rd Tuesdays of the month, the Board of Education on Tuesday evenings, Park & Planning Commission on Thursdays including some evenings. Wednesday evenings are used by some civics as their meeting night because of the absence of conflicts. But which Wednesday evenings? Would the first Wednesday of the month or the second, third or fourth perhaps be a better night for MCCF meetings?

Given these constraints, we plan to survey our member organizations this spring to ascertain the best night of the week and the best week of the month for the greatest number of our delegates? If changing the night and week of the month for our meetings will result in better attendance, then we need to consider doing that. Please bring this up at your next association meeting and be prepared to give us feedback later this spring.

Education Matters

by Mark R. Adelman, Chairman, Education Committee

Last month I commented on the Board of Education's (BoE) proposed revision to Policy JFA (Student Rights and Responsibilities) and testified before the BoE regarding the proposed Montgomery County Public Schools (MCPS) FY2008 budget. Those comments and the text of my testimony are posted to the Civic Federation website. I urge you to read these documents and provide us feedback. By the time you see this newsletter the BoE will have held work sessions on the proposed budget. We hope that the "new" BoE will pay more attention to citizen suggestions than has been the case in the past. We - and every citizen in Montgomery County - will have the opportunity to testify in April before the County Council regarding the County budget, of which the MCPS budget constitutes some 50%.

And remind us - if we appear to forget - that many of the

issues that concerned us in the past remain to be resolved. Are the portables (especially the moldy ones) gone from our neighborhood schools? Have MCPS and the Council resolved the controversial matter of how to manage school sites, like Peary HS, that are temporarily not needed but may soon become urgently in demand? What about the issue of involving all elements of the community in decisions about the fate of the Carver Educational Services Center? We cannot give you a simple answer to any one of those questions; some appear to be works in progress, while others are on hold. We continue to track all of these matters, and work to make sure that lines of communication with relevant officials are open. But we need your help because none of these sorts of problems is going to be "fixed" quickly - much less instantly. And the community is only beginning to deal with the real problems of equity and quality of education. The multiple Emails we receive are a constant reminder of how much various citizens know about pieces of the puzzle. So many have insights as to how to assemble them. Pick up a piece, turn it over, consider where it fits, and educate us.

State and County Budgeting and Your Taxes: The Dirty Dozen-Part 2

By Chuck Lapinski, Co-Chair, Public Finance and Utilities Committee

I didn't think it could get any grimmer, but it has. Governor O'Malley has released a summary of his budget, and it hurts Montgomery County. What's worse, he doesn't help his case for next year's projected deficits. Nor does he deserve the credit given him by Delegate Conway, Chairman of the House Appropriations Committee, when she said that he "is taking a prudent course by giving himself a year to scour the budget for savings."

FACT: the Governor inherited a balanced budget from his predecessor. He now plans to tap the Rainy Day Fund for \$967 million (yes there is a balance of \$674 million); but he faces a structural deficit projected to be at least \$1.3 billion! And this action is considered PRUDENT? Former Governor Ehrlich, through consistently prudent actions and in spite of a spendthrift legislature, moved us from deficit to a balanced budget to meet the ever- growing structural deficits built in by our legislature. The "Thornton" initiative drives this

deficit, and it compounds at an alarming rate. Thornton's price will be even bigger next year, and the year after. And, Montgomery, which will benefit very little at best, will remain the principal bill payer for the benefit of the rest of the state.

FACT: the Governor plans to withhold at least \$94.7 million for the "Geographic Cost of Education Index" scheduled for Montgomery and Prince George's Counties. Montgomery was to have received over \$65 million of this total. One again, the DC/Maryland suburbs take it on the financial chin. We not only have to compete with the rest of the jurisdictions in the region; we lose our fair share of the allowance to the remaining state's jurisdictions before we even get to the starting gate. And Montgomery gave O'Malley our votes? Everybody else gets their payback, but not us!

FACT: the Governor brags that he is increasing the school construction budget to \$400 million, a significant increase over than this year's \$323 million. At the time of this writing, the detailed budget and appendices had not been posted, but it appears that Montgomery will not get any part of this increase.

FACT: the Governor defers some \$53 million for the ICC. It's too bad that that amount and more from the ICC will never be applied to fix the long-neglected state responsibilities to the county such as the construction of a mono-beam/mono-rail Inner Purple Line!

FACT: on the surface, I don't see anything that helps Montgomery. Anything we get is disproportionately paid for by us. We contribute more than 25% of the revenue to the Transportation Trust Fund. We have consistently gotten back less than half that amount. The same is also true for our share of the Thornton payout. Is this unfair or what?

Planning and Land Use Report

by Jim Humphrey, Chairman, Planning and Land Use Committee

At the January 16 Council hearing, the Civic Federation testified in support of Council President Marilyn Praisner's legislation calling for a suspension of Preliminary Plan approvals for new development until August 15. As introduced, this legislation--Subdivision Regulation Amendment 06-3--would allow projects in

Metro Station Policy Areas and small developments that generate a minimal amount of additional traffic to still be approved. But, MCCF testified in favor of the suspension applying to Metro areas, too. Praisner introduced the legislation in order to slow down project approvals while the Council discusses changes to the annual growth policy later this year. This would allow the maximum number of plans to be approved under whatever new standards are imposed following the Council vote on growth policy amendments, set to occur before the August break.

An interesting bit of news, shared with the Council by Planning Board Chairman Royce Hanson while testifying at the January 16 hearing, is that there are still 23 staff vacancies to be filled at Park and Planning. One positive impact of a suspension of approvals of new Preliminary Plans of subdivision is that it might give the short-staffed Planning Department a chance to catch up on the backlog of work they face.

And claims that workers in the construction trades might be put out of work as a result of a suspension are ill-founded. The number of projects "in the pipeline"--that is, projects that have already been approved but are not yet built--comprise a total of 30,000 housing units and around 10 million square feet of commercial space. Planning staff calculate the commercial space already approved as enough to generate over 112,000 private sector jobs when built, so there is little chance a suspension of new project approvals would jeopardize economic vitality in the county. County Executive Ike Leggett supports the concept of the suspension because he was elected, in part, to slow down growth so that infrastructure could catch up. And, Mrs. Praisner's legislation would be a smart first step.

County Attorney Fails to Defend Board of Appeals Ruling: Urgent Action Needed

by Jim Humphrey, Chair, Planning and Land Use Committee

(with thanks to Norman Knopf, Esq., individual member)

In a case that attracted media attention the Duffys, a couple who own a home in Chevy Chase, received

approval from Department of Permitting Services to remodel their existing home. Their neighbors, however, questioned the appropriateness of the DPS permit when they observed the owners, acting as their own contractors, had instead torn down all exterior walls of their existing house. DPS ruled that this qualified as new construction, and stopped work because the mostly-completed structure did not meet the required setbacks for a new home. DPS ruled that the house would need to be torn down, or moved to meet the setback from property boundaries required of a new home on the lot.

The homeowners petitioned the Board of Appeals to reverse the DPS decision, facing off against many of their neighbors who sided with DPS. The Board of Appeals, however, upheld the DPS ruling. The homeowners then filed an appeal in Circuit Court, challenging the Board of Appeals ruling. The Office of the County Attorney indicated that it would defend the Board of Appeals decision in the case before the Circuit Court, so neighbors living near the contested home made no move to join in defending the Board. But Acting County Attorney Marc Hansen, without informing the neighbors, decided not to defend the appeal and Circuit Court Judge Nelson Rupp Jr. reversed the Board's decision.

The failure to defend the Board of Appeals in this key case totally undermines the effectiveness and credibility of the Board. Please contact the County Council and County Executive and tell them if you are troubled by the failure of the Acting County Attorney to defend the Board of Appeals in the Duffy case. This sets a bad precedent for future challenges to the validity of the zoning ordinance and to the Board of Appeals' authority.

ANNOUNCEMENTS

Lessons Learned From Clarksburg Town Center February 27, 2006 at the National Building Museum

Amy Presley, Lynn Fantle, and Kim Shiley whom we know from the Clarksburg Town Center Advisory Committee will be the focus of a Smart Growth program at the National Building Museum on Tuesday, February 27 from 12:30 to 1:30 PM. The program synopsis says they "will share their perspectives on a highly publicized planned development where the built project was

inconsistent with the smart growth plans approved by county officials. The story that unfolded in Clarksburg, Maryland, serves as an example of why residents, planners, and developers need to work in concert throughout the entire development and building process to ensure integrity of design and expectations."

The program is free. Registration is not required. The Building Museum is in the Old Pension Building, 401 F Street, N.W. at the Judiciary Square (Red Line) Metro Station. Firehook Bakery operates a small Museum Cafe serving sandwiches, salads, baked goods and beverages. In addition to being a great building enclosing a great space, the Museum has a wonderful Museum Shop!

Bylaws Committee February and March Meetings

The Bylaws Committee will meet on Tuesday, February 6 and Tuesday, March 6 to discuss possible bylaws revisions. Both meetings will start at 7:15 pm and be held at Hollywood East on the Boulevard, 2621 University Boulevard West in Wheaton.

Members of the committee are Peggy Dennis, Dan Wilhelm and Richard Zierdt. New committee members are always welcome. Please contact a member of the committee or the Chair, Luella Mast, (301-384-4178 or luellam@comcast.net) if you wish to join us or if you have suggestions for bylaws revisions. If hazardous driving conditions are expected due to a winter storm, please contact Luella to see if the meeting date/time will be changed.

Effort Underway to Name Rockville Library for War Casualties

A major grass-roots initiative is underway to encourage County Executive Leggett to name the new library in Rockville, our County seat, the "ROCKVILLE MEMORIAL LIBRARY", in memory of those Montgomery County residents who served and lost their lives in Iraq and Afghanistan. The Rockville Mayor and Council and the Library Advisory Committee of Rockville have each passed resolutions recommending this name. Irwin Charles Cohen of Rockville will be asking the delegates to pass a similar resolution

supporting this effort at our February meeting.

Volunteers Sought for Nominating and Awards Committees

by Wayne Goldstein, President

Nominating Committee

Our bylaws require the President to propose a Nominating Committee of between 5 and 7 members in the February newsletter and require the delegates to approve a committee at the February Regular Meeting. The current President and First VP may not serve on the Committee. The Nominating Committee presents a slate of candidates to the delegates in the May newsletter which is accepted at the May 14 Regular Meeting. Nominations from the floor will also be accepted at the May meeting. MCCF will hold elections for its officers at the June 11 Regular Meeting.

I am recommending the following members (others may volunteer or be added at the February meeting) for the Nominating Committee:

- Chuck Floyd, Chair (Chair of Public Safety Cmte.)
- Sandy Vogelgesang, (District 15 VP and delegate from West Bradley CA)
- Chuck Lapinski (Past President, Co-Chair public Finance & Utilities Cmte.)
- Charles Wolff (Historian and delegate from Seven Oaks-Evanswood CA)
- Cary Lamari (Past President, living in Norbeck)

The Nominating Committee will nominate one person for the President, First Vice President, Second Vice President, one District Vice President from each of the eight State Legislative Districts, a Recording Secretary, and a Treasurer. Persons nominated and elected must be Delegates at the time of their election (cannot be an associate member) and a Delegate may hold only one elected office. The District VPs are not required to live in the district they represent, but we have a strong preference that they do live there. A Delegate may not serve more than two consecutive terms as president (Dan Wilhelm is serving his second consecutive turn so cannot be re-elected.) Officers serve for a term of one year or until their successors are duly elected. Any official not subsequently certified as a delegate by a member organization shall continue to serve until the

end of the next June Annual Meeting

If you have ideas for people to serve in any of these offices or wish to volunteer, please contact one of the members of the Nominating Committee.

Awards Committee

MCCF has three awards to present at the May 11, 2007 Awards Dinner. The awards are:

- The Sentinel Award, presented to an individual or group for a significant contribution to good government at the local level.
- The Gazette Award, presented to an individual or group who performs exemplary volunteer service for the residents of the county.
- The Star Cup, awarded to a MCCF delegate or committee for outstanding public service on behalf of Montgomery County.

Since I am late in proposing an Awards Committee, I will be presenting it to the Membership at the February meeting for approval rather than Executive Committee as called for in the Bylaws. I am presenting the following to be on the Awards Committee:

- Peggy Dennis, Chair(Newsletter editor, 2nd VP and Delegate from West Montgomery County CA)
- Luella Mast (Treasurer, Bylaws Chair and delegate from Greater Coleville CA)
- Arnold Gordon (1st VP and delegate from Norbeck Meadows CA)

If you have ideas for people or groups to receive the awards, please contact one of the above people.

Membership Report

by Peggy Dennis, 2nd Vice President

We want to welcome back the Chevy Chase Valley Citizens Association, and the Woodside Park Civic Assn. Although members during the last millenium, both these groups had been "missing in (our) action" during recent years, so we are delighted to have them return to us. And we welcome Julie Greenberg, our newest associate member.

We are also pleased to have Chevy Chase West Neighborhood Assn., Northwood-Four Corners Civic Assn. and the Snowden's Mill Homeowners Assn. renew their memberships. Better late than never!

We are still looking forward to receiving dues from Avenel Community Assn., Ayrelawn Civic Assn., Fox Hills West Citizens Assn., the Layhill Alliance, and the Norbeck Citizens Assn..

At this point in our fiscal year, we have more member organizations than last year, so we are growing! With the help of our wonderful district vice presidents, we will continue to grow and become even more effective.

Query: does anyone know if the Citizens Coordinating Committee of Friendship Heights is still active, and if so, who to contact? If you know of other neighborhood organizations in your area, please tell them about the Civic Federation. Pick up a membership form from the back table and encourage them to join us.

Minutes of the January 8, 2007 Regular Meeting

by Richard Zierdt, Recording Secretary

MCCF President Wayne Goldstein calls the meeting to order; introductions: 30 are present at 7:51 PM; 34 sign attendance sheet by meeting's end.

Announcements. Wayne asks for volunteers to serve on the Nominating Committee.

Agenda. Jim wants ZTA 06-26 discussed. Peggy asks the MCCF to consider joining the Maryland Election Integrity Coalition. Agenda is adopted as modified.

Minutes. Correction to December's minutes: Elizabeth Davis resigned from the DHCA - the County's Department of Housing and Community Affairs. Minutes are approved as amended.

Treasurer. Luella Mast leaves copies of her reports on the back table. Jerry Garson reports that the Audit Committee reviewed the treasurer's reports for the last three years and found them satisfactory.

Program. Maryland's 2007 State Legislative Session. Dan Wilhelm introduces Senator-elect Richard Madaleno (D-district 18), and Delegate Anne Kaiser (D-district 14).

Senator Madaleno: He has been on the House Budget and Taxation Committee for the last four years. There are five fundamental state responsibilities: education, public safety, medical assistance, aid to needy families, and transportation. Higher education is discretionary, not mandatory. Sales and income taxes provide 81% of the state's budget. Maryland faces a potential budget deficit of \$400M. The second legislative year after an election is seen as the "big year," when it is more likely that "significant" legislation will pass. Maryland has an overall borrowing cap that cannot exceed 3.2% of the total personal income within the State. Maryland is one of the few states with a triple-A (AAA) bond rating offering the lowest interest rates. The three state income tax brackets are at \$1K, \$2K, and \$3K, an anachronism from the 1950's that still stands. Among those states with a sales tax, Maryland has the lowest. Gaming (lottery, etc.) and its revenue has increased quite a bit over the years.

Delegate Kaiser: will focus on policy issues. School construction: Montgomery had over 700 portable classrooms; now it's about 600. Montgomery has the largest public school system in the State with 140,000 students. Wants to limit increases in higher education tuition. Health insurance: might look at the Massachusetts model in which all are required to buy health insurance. Voting and paper trail: Kaiser would like to re-examine the voting system. Public funding of campaigns will be studied. A possible sales tax on services might pass as the economy becomes more service-oriented instead of product-oriented. Higher pollution standards for autos might pass. Military re-alignment will increase demand for public services in Montgomery. Slot machines will be examined. Smoking: \$1 per pack increase in cigarette tax has been offered. A smoking ban statewide may be re-examined. And there is always issue of local liquor legislation in Montgomery. Two more people will be added to the election board. Student member on the Board of Education: one bill would remove the student's right to vote for retaining the superintendent.

Q: Could a commission be composed to study obsolete state laws? A: Give us a list. Q: Could we tax food? A: Many states do but not basic food stuffs

Q: Slots here would discourage people from going to neighborhood states. A: These licenses are very valuable. The legislature should not decide who gets slots. Slots would encourage gambling.

Q: Eminent domain? A: 27 bills were introduced about this last year, but no single bill emerged. The County Council would be thrown out of office if they repeated

the "Kelo v. New London" mistake (where the Supreme Court ruled that a government may transfer ownership, via Eminent Domain, of private property from one owner to another).

- Q: Panhandling in public roads? A: Anne Kaiser. Firefighters were against it limits. Anne modified her bill to prohibit only minors. Some civil liberties issues were raised.
- Q: How about placing overhead power lines below ground. A. New areas must have underground lines. Cost of "undergrounding" remains a problem.
- Q: Increase the gasoline tax? A: This will be discussed, but hopefully along with a package deal of several taxes being revised.
- Q: Why build the ICC? It costs too much. A: The governor has said it should be built, as has the County Executive.
- Q: The state should not be paying for many services it now covers. The counties should pay for these services. A: 50% of the state budget goes to education and health care. Some counties need state aid more than Montgomery.
- Q: What can the Montgomery delegation do to get more money for Montgomery? A: That's the way the system works.
- Q: Does the concept of "sprawl" come up in the delegation? A: It's more of a county issue. One piece of legislation will look at the way counties plan their growth relative to that of other counties. A larger review board could reverse a county's decision.
- Q: Funding for disabled citizens: it's insufficient. A: Anne: Yes, it's on her radar screen.

Committee Reports.

Planning and Land Use. Jim Humphrey. SRA 06-introduced by Councilwoman Marilyn Praisner would basically stop subdivision plan approvals and amendments until August 15, 2007. Public hearing scheduled for January 16. Complete text is found at www.montgomerycountymd.gov/content/council/pdf/zta/2006/sra06-03.pdf.

Jim discusses ZTA 06-26 introduced by Councilmember Mike Knapp. There is a January 16 public hearing on this. [The substantive text of the amendment, with proposed text in bold is "Before approving an application for classification in any of these zones, the District Council must consider whether the application, including the development plan, fulfills the purposes and requirements in Article 59-C for the zone. In so doing, the District Council must make the following specific findings . .: (a) The zone applied for substantially

complies with the use and density indicated by the master plan or sector plan and does not conflict with the general plan, the county capital improvements program, or other applicable county plans and policies, except that a finding of substantial compliance with the use and density indicated by the master plan or sector plan is not required if the existing zoning is a commercial or industrial zone." Complete bill is found at www.montgomerycountymd.gov/content/council/pdf/zt a/2006/06-26.pdf.] Dick Kauffunger moves that the MCCF oppose ZTA 06-26. Five seconds. Passes unanimously.

Education. Mark Adelman returned from MCCP budget forum at Carver (Board of Education headquarters). There was low attendance at the hearing. Questions about larger community involvement. This Thursday BoE will conduct a hearing on the "Citizens budget." Mark encourages more MCCF members to write articles for the Sentinel newspaper. Read Mark's article in the Sentinel.

New Business. Peggy Dennis. Our electronic touch-screen voting machines have been plagued with problems. The Maryland Election Integrity Coalition (http://md-eic.org) is backing bills in Annapolis that would replace current voting machines with paper ballots that can be voter-verified, audited, re-counted in close races and archived, and optical-scan readers for fast tabulation. Peggy moves that the MCCF join the Maryland Election Integrity Coalition (formed in late 2006). Seconded. Discussion ensues. There is support for paper ballots, but some feel joining an organization unknown to the MCCF on an emergency basis is not wise. Motion fails 1- 11- 6.

Meeting is adjourned.

Minutes of the January 17 Executive Committee Meeting

by Richard Zierdt, Recording Secretary

MCCF President Wayne Goldstein call meeting to order at 7:48 pm. Present are Goldstein, Wilhelm, Dennis, Mast, Zierdt, Floyd, Vogelgesang, Schrader, Adelman, Humphrey, Weinman, Sauer and Lapinski.

Minutes. ExComm Minutes of December 13 are approved. MCCF ID badges can be worn at all

meetings. Thanks to Jim Humphrey for making them.

Treasurer's Report: Luella Mast. Currently, MCCF dues are \$250 over projections. Balance is \$9262.84 as of yesterday.

Committee Reports.

Environment. Wayne. Stormwater Partners Coalition. Suggests that Green Street amendment be added to County Streets and Road Bill 48-06, which would encourage use of pervious surfaces to aid in stormwater runoff and replenish the water table.

Education. Mark Adelman. Testified before the Board of Education at its budget hearings. Mark was impressed by the open dialogue.

Planning and Land Use. Jim Humphrey. Jim recommends language to prevent the County Executive from releasing a developer from providing required amenities and stopping credits given to developers for the Development Impact Tax for amenities required by Park and Planning.

Website. There is discussion about updating the MCCF's website in a more timely fashion.

Bylaws. Luella Mast. Presents language changes from the Bylaws Committee, all of which are organizational in nature. All are approved by the ExComm to be presented to the general membership.

Public Safety. Chuck Floyd will discuss Public Safety with the County Executive. Wayne may tour the correctional facility.

Transportation. Dan Wilhelm will testify before the County Council at its public hearing on Transportation Priorities January 25.

Programs. Fraternal Order of Police will speak in February. Chuck Lapinski will organize the program on the operating budget for the March meeting.

Public Finance. Marvin Weinman met with County Executive Ike Leggett about ways to save money. Marvin distributes some charts showing County spending trends for the last several years including labor and operating costs. It appears that budget increases of the recent past cannot continue. There are 31,000 full-time Montgomery County employees.

Membership. Peggy Dennis reports membership is about the same as last year.

Legislation. Peggy suggests that paper ballots that can be audited, recounted and archived provide better voting integrity. She moves that the MCCF join the Maryland Election Integrity Coalition. Seconded. Motion fails 2-8-1. A motion is then made that the MCCF support verifiable ballots. Seconded. There is discussion about whether "paper" should replace "verifiable." Motion using "verifiable" passes, 9-2-0.

Nominating Committee. Wayne asks for volunteers. Chuck Floyd, Chuck Lapinski, and Dan Wilhelm answer the call.

New Business.

Luella Mast raises four topics: (1) Order of business at regular meetings. Perhaps committee reports should precede the program, so that delegates have more opportunity to consider them; (2) Name tags: Wear 'em; (3) Letterhead: Add "Serving the Public Interest since 1925" might be added; (4) Literature should not be placed on desks in the meeting rooms but only on the table in the back.

This secretary leaves at 10:20 pm. Meeting adjourned.

Federation Meeting

Monday, February 12 7:45 1st Floor Auditorium County Council Office Building. 100 Maryland Ave. Rockville, MD

Agenda:

7:45 Call to Order

7:46 Introduction and Announcements

7:55 Adoption of Meeting Agenda

7:56 Approval of Minutes and Treasurer's Report

8:00 Program: Montgomery County Police & FOP

9:10 Committee Reports

9:30 Member Issues

9:40 Old Business

9:50 New Business

10:00 Adjourn

The **Montgomery County Civic Federation** is a county-wide nonprofit educational and advocacy organization. It was founded in 1925 to serve the public interest. Its monthly Federation meetings are open to the public and are held on the second Monday of each month September through June 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."

Submit contributions for the next issue by: **Midnight, Saturday February 24.** Prepare submission as an MS Word, Word Perfect or textonly document, **attach** it to e-mail, and send it to hotyakker@comcast.net
Please send all address corrections to Dan Wilhelm, 904 Cannon Road,
Silver Spring, MD 20904, 301-384-2698, or djwilhelm@verizon.net.

NEXT EXECUTIVE COMMITTEE MEETING
Wednesday, February 21, 7:45 p.m.
Julius West Middle School
651 Great Falls Road, Rockville

MONTGOMERY COUNTY CIVIC FEDERATION

DAN WILHELM, DATABASE MANAGER 904 CANNON ROAD SILVER SPRING, MD 20904 DJWILHELM@VERIZON.NET

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