



Civic Federation News

April 2008

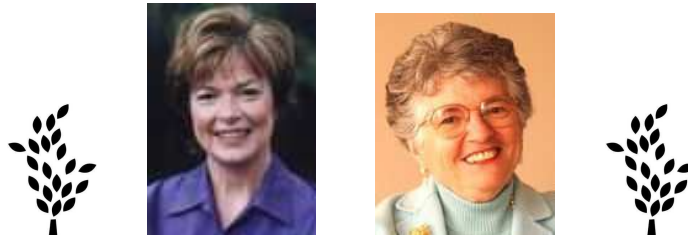
Serving the Public Interest since 1925

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Montgomery Civic Federation Environment Committee Report by Caren Madsen , Environment Chair

Our committee dedicates our work in 2008 to the memory of the late State Delegate Jane Lawton (District 18) and Councilmember Marilyn Praisner (District 4), two warm and hardworking legislators. We remember both of them with appreciation for their integrity and commitment to a healthier environment and better quality of life in Montgomery County and the State of Maryland. As we approach Earth Day 2008, we will strive to preserve their legacy.



A Council hearing on Jan. 22 and several Transportation & Environment (T&E) Committee work sessions have been held on Bill 37-07, a long-awaited set of amendments to strengthen our existing Montgomery County Forest Conservation Law (FCL). The bill originated with a set of amendments generated by Maryland National Capital Parks and Planning (M-NCPPC) staff and the Planning Board. At-Large Council Member Marc Elrich had started a review of the FCL within his first month in office in 2007; the Planning Board approved their amendments in September. Over the past year, M-NCPPC staff and Elrich's staff worked through detailed comparisons of FCL revisions. The result is Bill 37-07, a legislative package consisting of M-NCPPC amendments with Elrich's amendments attached and calling for a stronger version than the M-NCPPC

Montgomery County Civic Federation's 2007 ANNUAL AWARDS BANQUET

honoring

THE STAR CUP - Wayne M. Goldstein

To a MCCF delegate or individual for outstanding public service to Montgomery County

THE GAZETTE AWARD - Barbara Falcigno

To an individual or group for outstanding public service to the people of Montgomery County

THE SENTINEL AWARD - Citizens' Coordinating Committee on Friendship Heights

To an individual or group who makes a significant contribution to good government at the local level

SPECIAL YOUTH AWARD - Sarah Boltuck

To a young resident of Montgomery County who has made an outstanding contribution to the civic life of the county

Friday, May 9, 6:00 to 9:30 p.m.

Make your reservations now using the form on page 11

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changes. The T&E Committee will not take action on Bill 37-07 until June, following the FY09 budget cycle and after a newly appointed Forest Conservation Advisory Committee (FCAC) has commented on the legislation. MCCF supports a stronger set of amendments to the FCL and was represented at the January Council hearing under the banner of the Montgomery Stormwater Partners Network.

At the hearing on Bill 37-07, questions were raised about a long delay in appointing the county's first Forest Conservation Advisory Committee, as well as the need for a county tree ordinance which would protect individual trees that fall outside of the state and county-established definition of a "forest". On March 18, 15 public nominees for the FCAC were appointed by a unanimous Council vote: Joshua O. Maisel, Andrew T. Der, Jeffrey H. Schwartz, Norman E. Mease, Ginny Barnes, Victor J. Bonilla, Linda G. Silversmith, Pamela Browning, James B. Hubbard, Kevin F. Mack, John G. Jessen, Daniel E. Lyons, Clark M. Wagner, Daniel P. Landry, Caren Madsen, David C. Plummer, Laura Miller, Brett Linkletter, Mark Pfefferle, and Edward G. Dress, Jr. Council Bill No. 36-06 was adopted in late 2006 to mandate this committee consisting of "urban and stewardship foresters, arborists, landscape architects, horticulturists and representatives from the nursery industry, persons directly engaged in agriculture, persons directly involved in the building industry, members of citizen groups, members of environmental and conservation organizations, and representatives of public utilities." By law, the committee also includes ex-officio members from the Departments of Economic Development, Environmental Protection and Public Works and Transportation, and representatives of the County Planning Board and the Washington Suburban Sanitary Commission. Over the past year, M-NCPPC staff and Council Members Roger Berliner (Dist. 1) and Elrich have collaborated on development of a tree ordinance. The expectation is that when amendments to the FCL are underway, a tree ordinance is the next step. To view the FCL amendments in Bill No. 37-07, go to:

<http://www.montgomerycountymd.gov/content/council/pdf/bill/2007/37-07.pdf>. Please send individual letters or e-mail to councilmembers in support of this legislation. E-mails may be sent to the Council President at:

Councilmember.Knapp@montgomerycountymd.gov

A comprehensive county climate strategy is on the horizon with a spate of seven bills introduced by

Councilmember Berliner last November. The bills deal with consumer protection, planning procedures, renewable energy, sustainability, real property energy performance audits, building energy efficiency, and vehicular emissions reduction.

"I agree wholeheartedly with many colleagues in national, state and local government across the nation that the climate debate is over -- It's time to take action," said Berliner. "Our county should be a model for other communities. Citizens and the business and environmental communities are poised to do their part and take steps to reduce our carbon footprint and mitigate the impacts of global warming. Global warming has galvanized the public like nothing else before, so we have to seize the moment."

While many builders are already building Energy Star homes exclusively, the local building industry has lobbied heavily to pressure the committee into eliminating a requirement that all new homes be built using Energy Star standards. Energy Star homes can reduce energy consumption by up to 15 percent. In a recent T&E Committee session, the committee (Councilmembers Floreen, Leventhal and Ervin) voted 3-0 against this requirement. However, the provision could be added back in before the full Council votes on the legislation. MCCF members and civic organizations should contact Council President Knapp to express support for Energy Star home building in Montgomery County. The Berliner climate legislation can be viewed at: www.MontgomeryCountyMD.gov and by clicking onto "Legislation and Resolutions" and then "Bills." A goal is to have the legislative package approved by the Council by Earth Day on April 22nd.

April Program: The Proposed FY 2009 County Operating Budget by Chuck Lapinski, Co-Chairman, Public Finance and Utilities Committee

Our program on Monday, April 14 will focus on Montgomery County's proposed operating budget, the most restrained budget I've seen in more than 12 Years! The Executive submitted this budget to the County Council on March 17th. Our meeting will take place after the Council's scheduled hearings are completed, but we plan to testify and we will be submitting issues to the MCCF Executive Committee for concurrence. We also plan to submit any resolutions that evolve from our April meeting to the Council while they are in still in formal work sessions.

In past years we have had to use the prior year's budget to frame our issues, but this year we have the actual FY 2009 budget to analyze. Unfortunately, these issues carry over from year to year, and the newest one shows little, if any, progress in resolving these problems by our current Council and Executive. In fact, it is easily argued that the execution of the Council's processes have only served to exacerbate these issues, rather than starting to resolve them!

We have confirmed panelists including members of the County Council (Phil Andrews, Public Safety Chairman; Marc Elrich, Planning, Housing, and Economic Development Member and Lead for Juvenile Issues; and Duchy Trachtenberg, Management and Fiscal Policy Chairwoman; and representatives from the Executive Branch including Tim Firestine, Chief Administrative Officer and Joe Beach, Director of Office of Management and Budget (OMB). We have also invited Ike Leggett, County Executive, to participate, provide his rationale for the current constrained budget and the proposed property tax increases and address some of your questions. Other issues include:

- Council exercise of its oversight and accountability responsibilities;
- Spending affordability process, prudence and discipline;
- Is it time to add a Taxpayers Bill of Rights (TABOR) to the County Charter? The forgotten lessons of Fairness in Taxation and Tax Cap Now!
- Trends and growth in revenue sources: significant decreases in virtually every category resulting in increased rates to fund increased spending;
- Operating budget cost drivers: total employee compensation accounts for over 80% of the budget;
- County infrastructure major maintenance backlog reduction largely unmet;
- WSSC's need for increased rates to fund replacing and repairing aging and fragile water and sewer pipes.

The Executive began the current fiscal year by making some modest cuts to this year's operating budget, cutting approximately \$33.2 million from spending, cutting 225 positions and putting a hiring freeze in place. Those cuts are a down payment against the projected \$401+ million projected deficit for FY 2009, and the projected long term structural deficit

of \$4.6+ billion over the next six years. As has been the case for the last 6-8 years, this year's and future budgets were built on spending rates that are simply unsustainable by any amount of tax and fee increases. To paraphrase the key points that the Exec outlined in his transmittal letter to the Council:

- Over the last ten years the county budget added 2200 new jobs, a 28% increase, while the county's population only increased 15%.
- The county budgets increased 80% over the last 10 years while inflation increased less than 30%, and population growth was 15%.
- MC Public Schools, which account for almost half of the budget, increased jobs by over 5,000, or 30%; but, the student enrollment only increased only 7%! Overall spending per pupil increased 78%, from \$8,093 to \$14,411 for the same 10 year period. Actual enrollment decreased slightly over the last 3 years, and is expected to continue decreasing for another few years at a lower rate before beginning to increase.

During this 10 year period, did your household income increase by any of these percentages? During the last 3 year period, average union contract wage and salary increased 22.5%. Did your household income increase by this percentage?

Strong growth and increased rates in all categories of taxes and fees paid for all these expenditure increases. But individual household incomes were not increasing at anywhere near the same rates. Thus, when the current housing market and economic conditions declined, new revenues were not available to sustain the desired budget growth. As a county, our real estate increases were also fueled by the rapid increase in the use of subprime mortgages, and I compare this subprime-mortgage-fueled market to the subprime budgets that the county lived on for the same 10+ year period. As the Exec states in his transmittal letter to the Council, "these increases were, in my view, unsustainable..." Further, the State budget crisis, which was largely avoidable, resulted in a \$1.4 billion tax increase, the largest portion of which will be paid by MC taxpayers, an inequitable distribution of fiscal responsibility. Painfully, it also resulted in less funding aid coming back from the state! Because spending is not being controlled by either the Governor or the legislature, it is likely that next year's budget expenditures will exceed revenue projections!

Early indications suggest that almost every source of county revenue (all categories of taxes and fees) will continue to decrease at the current rate for at least the next two to three years. And, even this wishful projection is dependent on a significant improvement in the real estate markets, both housing and commercial properties.

Spending prudence is reflected in almost every part of the proposed FY 2009 budget. The Capital Improvement Program (CIP) is planned to increase only 1% over the next 6 years, while the two previous CIP budgets increased approximately 25% each! The early saving (actually cost avoidance), the hiring freeze/cuts and other reduction actions helped to reduce the originally projected \$401+ million shortfall to a projected \$296 million. The proposed FY 2009 tax supported operating budget is \$3.770.1 million representing a 3.2% increase over the current FY 2008 budget. (The Total County FY 2009 operating budget, which includes revenue and expenditure adjustments for debt service, grants and enterprise funds is projected to be \$4, 324.3 million represents a 3.9% increase.)

The current budget for this year represents an increase of only 6.9%, whereas the prior year's budget represented a 14.1% increase from two years ago. For the proposed FY 2009 budget, most departments including the school system will experience slight decreases. Public safety, health and human services will experience slight increases, as will Park and Planning and Montgomery College. The trend is right, but insufficient without tax increases and/or further significant cuts.

To balance the proposed budget, the Exec is proposing graduated property tax increases that will vary with the assessed value of the home, less if the assessed value is less than \$500, 000, and more (a higher rate) if the assessed value is higher than this. Given this start at trying to reign in control of budget growth, one can't help but ask that if total compensation accounts for more than 80% of the total budget, then why is it being held sacrosanct? Surely if we are to be equitable to the taxpayer, then the average 22.5% 3-year over 3-year compensation increases have got to decline, and significantly. The average taxpayer already bears an inequitable burden which is exasperated by the state tax increases. Adjustments should now be made that are equitable to the taxpayer. If the adjustments are delayed, next year's shortfall and the next few years after will only become more painful to solve.

Preparation for May Program by Peggy Dennis, Second Vice President

Chief Justice (retired) of the Montgomery County Circuit Court, DeLawrence Beard will be the speaker for our program on Monday, May 12. Judge Beard will be talking about a wide range of issues concerning our county's judicial system. To make this program as lively and well-informed as possible, I am encouraging members of the Civic Federation (or anyone interested) to do homework: to visit and observe one or more of Montgomery County's special courts before May 12.

Montgomery County's "Adult Drug Court" and "Juvenile Drug Court" can be visited and observed without an organized group or advance commitment. The Adult Drug Court meets every Thursday at 5:30 p.m. in Room 15 on the 6th Floor of the Judicial Center, 50 Maryland Avenue in Rockville. Detailed information on this program is on the internet at www.montgomerycountymd.gov/mc/judicial/circuit/drugcourt/dcfiles.html. Call the coordinator, Samantha Lyons at 240-777-7344 if you have questions about visiting.

The "Juvenile Drug Court" meets every Thursday at 3:00 p.m. Linda Earle-Hill coordinates and will confirm dates and court room location. Call her at 240-777-7402.

"Teen Court" is a diversion program for young, first time offenders. The proceedings are overseen by a judge and it includes a jury of teen peers. "Teen Court" meets on the 2nd and 4th Wednesdays of each month from 4:30 to 7:30 with the courtroom posted in the lobby of the Judicial Building. Detailed information is at the States Attorney's website: www.communityprosecution.org. Click on "services" then go to "Teen Court".

We will also be discussing the possibility of working to create a "Mental Health Court". We are looking at two possible dates to visit (via carpool if possible) Judge Charlotte Cooksey and Baltimore's Mental Health Court: Thursday, April 24 and Monday, April 28. This must be organized in advance. Please call me at 301-983-9738 or email me at hotyakker@comcast.net if you can join us on either date for the Baltimore visit. Deadline Monday, April 21.

Special Elections for Council District 4

by **Arnold Gordon, First Vice-President**

The special elections to fill the late Marilyn Praisner's seat for Councilmanic District 4 will be held on the April 15th (Special Primary) and May 13th (Special General Election). As in all special elections, turnout is expected to be very low. Despite the fact that polls in District 4 will be open from 7 AM until 8 PM, many potential voters may be tied up, on travel, or otherwise indisposed. As the publicity surrounding this event is very light, many may simply forget to vote. But this special election is especially important for the civic community and its member organizations. It is an opportunity for us to have maximum impact on a race that is crucial to the makeup of the Council and the future of the County.

For this reason, District 4 voters may wish to vote by absentee ballot. Doing so is very easy but does take advance preparation. Applications for absentee ballots may be obtained at the Board of Elections, 751 Twinbrook Parkway, Rockville 20851 or downloaded and printed out from the Board's website at www.777vote.org (click on "here" after the prompt for the Special Election and select the English or Spanish version of the form). Completed and signed absentee ballot applications must be returned to the Board of Elections by April 8 - 5:00 P.M. if turned in by hand or mailed, or by 11:59 P.M. if sent by FAX. If you are mailing in your application, be sure to post it three or four days before the deadline to insure that it gets to the Board by COB on April 8.

The Board will then mail your ballot to you. Ballots must be filed by poll closing on the Special Election Day - April 15th - or be postmarked up to 11:59 PM of that evening.

The phone number of the Board of Elections is 240-777-8500 for further information. The fax number is 240-777-8550.

We are urging our members and member organizations in District 4 (or parts thereof) to relay this information to their members as soon as possible (preferably by email) to ensure a large turnout possible by the civic minded community.

Support needed for "green area" ZTA

by **Jim Humphrey, Planning & Land Use Chair**

Citizen support is urgently needed to persuade County Council members to approve Zoning Text Amendment 08-01, legislation that seeks to clarify the definition of "green area" in the county zoning ordinance by stating that areas on the rooftops of buildings do not qualify. The vote on the ZTA could take place in early April.

Seventeen different zone categories and seven overlay zones in the County Code contain a minimum "green area" provision requiring that a percentage of a property planned for development in those zones be set aside for aesthetic, environmental or recreational purposes. This interpretation is in keeping with the current language in the definition of "green area" that it be provided as "an area of land."

In the fall of 2007, in approving a rezoning amendment for a project in Bethesda, the Council allowed a portion of the required "green area" to be provided on the roof of the proposed building. Passage of ZTA 08-01 would not affect the approval for this specific project, but would prevent future approvals from allowing "green area" to be provided on the roofs of buildings.

MCCF supports green technology including green roofs, as well as the standards for energy efficiency recently imposed on new construction in the county. But that is a separate issue from the "green area" requirement instituted decades ago, which was created to provide landscape buffers between new development and its neighbors, or as recreation areas in the garden apartment and townhouse zones, or to allow rainwater absorption on an undeveloped portion of properties.

I urge groups and individuals to contact the Council and register their support for passage of ZTA 08-01, which would clarify that developers cannot provide required "green area" on the rooftops of buildings. Letters should be sent to County Council, 100 Maryland Ave. - 6th floor, Rockville, MD 20850. Or send emails to:

county.council@montgomerycountymd.gov .

Should We Abolish Our Board of Education?

by Wayne Goldstein, MCCF President

In 2002, the Maryland legislature abolished the elected Prince George's County Board of Education and replaced it with an appointed Board because of the incessant infighting between the Board and the school superintendent. In 2006, an elected Board was reestablished. In 2007, the Washington, D.C. City Council abolished the elected D.C. Board of Education and turned control of the schools over to the Mayor because of the massive failure of schools to meet standards. In 2008, if the Montgomery County Board of Education (BOE) were to be abolished for lack of relevance, would anyone really notice a difference?

The BOE is irrelevant by choice. Its mission statement says: "The Montgomery County Board of Education is the official educational policy-making body in the county. The Board is responsible for the direction and operation of the public school system. The Board consists of seven county residents elected by voters for a four-year term and a student elected by secondary school students for a one-year term", but none of these eight members have personal staff. There are seven staffers to serve the BOE whose positions are described as: Legislative and Intergovernment Relations, Policy and Communications, Administrative Secretary to the BOE, Administrative Secretary, Fiscal Assistant, Administrative Services Manager. There is also a Chief of Staff, but he also serves as full-time Ombudsman. "The Ombudsman is appointed by the BOE and is considered an independent or neutral party who seeks to resolve school-related problems as quickly and efficiently as possible." It would seem to be rather difficult, even impossible, to be the Chief of Staff, with a duty to the BOE, and to also have a duty to be "an independent or neutral party" on school-related matters.

These fifteen people, eight Boardmembers and seven staff, are responsible for the direction and operation of a \$2.1 billion per year enterprise made up of 137,745 students, 21,840 employees, 1,265 buses, 200 schools and numerous other offices and warehouses. The adult Boardmembers are paid \$18,500 per year for this work. By contrast, the nine members of the Montgomery County Council, who are paid \$90,000 per year, with the Council president receiving \$99,000, have about 35 personal staff and 35 legislative staff. Some of the Council's principal

responsibilities are: Appropriates money to fund the capital and operating budgets and sets the local property tax rate and other local taxes; Approves all land use plans including the General Plan, area master plans, and sector plans prepared by the Planning Board; ...Exercises oversight over County programs to ensure efficiency and effectiveness; ...Enacts all County laws and amendments to the Code.

While the County Council has a much more varied range of responsibilities than the BOE, they manage a fraction of the number of employees with a fraction of the budget of the BOE, yet they have at least ten times as many staff people as the BOE. I heard a BOE member state earlier this week that she receives a stack of emails and letters an inch thick every day and she reads all of this mail herself and then calls her chief of staff or MCPS officials to deal with the issues. The hours she spends on that one daily task must greatly restrict what else she can accomplish in the time she gives to her low-paid, part-time job.

It must be obvious to the reader by now that the BOE is incapable of being responsible for the direction and operation of the mammoth, multi-billion dollar enterprise known as MCPS because they have given themselves no resources to do the job. Thus, they must rely entirely on MCPS employees for all information, employees whose duty and loyalty are first and foremost to the boss who hires and can fire them, Superintendent Weast. They may be friendly, cooperative, and informative to the BOE, but the BOE has absolutely no way of determining if they are being given all the information that is available on an issue or if the information is even truthful. By contrast, the County Council has staff which it can direct to provide such oversight, and the Council can also use its Office of Legislative Oversight to research issues in even greater detail. The Council also funds an Inspector General who can launch independent investigations concerning possible government waste, fraud, and abuse. Any research that BOE might ever want to have done can only be provided by the Department of Shared Accountability, except that this office is only accountable to MCPS, not to BOE.

Would anyone really notice a difference if our BOE disappeared tomorrow? Sometimes, BOE meeting discussions are not a cacophony of the relentless happy talk that pervades all written and electronic communications sent out to the world by MCPS. I might miss the philosophical discussions concerning why so many students do so poorly and how hard it

is to figure out how to educate them because no one really knows what programs work, although MCPS has a lot of programs and is creating more of them all the time.

At this point, we might as well abolish the BOE and allow Weast to only have to expend his energy trying to charm and control the County Council, the only body still able and willing to provide oversight. When Councilmembers reiterated their oversight role to Weast and his BOE sidekicks this week, one Boardmember talked at length about wanting to ensure that nobody was "operating with cynicism" as the Council tries to balance a budget that is perhaps \$300 million out of whack this year and will be far worse next year. It seems it's a little late for Weast and his BOE to be trying to discourage cynicism in others.

Nominations for Federation Leadership

By Sandy Vogelgesang, Nominating Committee Chair

Interested in playing a greater role in your community and holding local government accountable? If so, sign up or propose volunteers for the elected offices in the Civic Federation! There are the following elected positions:

- President
- First Vice President
- Second Vice President
- Eight District Vice Presidents (one from each state legislative district)
- Recording Secretary
- Treasurer

There is a special need for new nominations for Recording Secretary and Vice Presidents for the following districts:

- 14 (Burtonsville, Brookeville, Laytonsville, Damascus)
- 15 (West Bethesda, Potomac, Poolesville, Barnesville)
- 19 (east of Rockville and Bethesda)
- 20 (Takoma Park and east of Silver Spring)
- 39 (area surrounding Gaithersburg)

We would also welcome civic leaders who would like to serve as non-elected chairs or members of the Federation's Standing Committees. Those committees include: Education, Environment, Legislation, Planning and Land Use, Public Safety, Public Finance and Utilities, and Transportation.

To volunteer or suggest a nominee for either an elected position or role in the Federations' Standing Committees, contact any member of the Nominating Committee:

Sandy Vogelgesang (301-365-2347)
everest.associates@erols.com

Luella Mast (301-384-4178) luellam@comcast.net

Dan Wilhelm (301-384-2698) djwilhelm@verizon.net

The Committee will publish its report on nominees in the May 2008 issue of the *Civic Federation News* and present its report to the meeting of Federation delegates on May 12. The election itself will take place at the Federation's Annual Meeting on June 9.

Yard Waste Facts and Tips

by Peggy Dennis, Editor

This is a follow-up to our March program with Fire Chief Carr. One of the questions asked was whether it is legal to burn yard waste outdoors. His answer was "no". The open burning of any yard waste such as leaves, twigs, branches, Christmas trees, etc. is illegal. Outdoor burning is both a fire safety hazard and detrimental to air quality. If you want this in writing, go to www.montgomerycountymd.gov.dep then click on "air quality" then "open burning: a regulatory fact sheet". Violations of the open burning restrictions should be reported to the Department of Environmental Protection (DEP) at 240-777-7770. If illegal burning occurs during evenings or weekends, leave a message on the answering machine giving all necessary facts so the DEP can follow up appropriately during working hours.

So, what to do with all the excess environmental baggage that Mother Nature dumps on you? If you have a fire place or wood stove, it is perfectly legal to break down or cut up those fallen twigs, broken branches and your dried out Christmas tree and burn them indoors. Break out the marshmallows! It is best, however, to let them dry out or "cure" before you burn them to minimize excessive smoke. Alternatively, you may bundle them and leave them at the curb for the Department of Public Works to take away and turn into mulch or compost. If you own or rent a chipper, you may do this for yourself and recycle your woody matter directly into your own landscaping.

Now, about all those weeds, grass clippings and autumn leaves! Similar options. Bag your yard waste in the appropriate brown paper bags and the county

will collect them from curbside. The better alternative is to compost them yourself. Well composted organic matter is the homeowner's "black gold". Even if you have few landscaping plants, your plants and your lawn will be enriched (requiring less fertilizer) and absorb and hold more rain water (requiring less watering) if well-composted organic matter is spread over them from time to time. The internet gives plenty of tips and resources on how to do this, but the county is encouraging and enabling homeowners to compost by giving out free composting bins. Detailed information on the county's yard waste and compost bin programs may be found at

www.montgomerycountymd.gov/yardtrim . More questions? Contact Susanne Wiggins, IT Specialist, Montgomery County Division of Solid Waste Services, at 240-777-6461 or susanne.wiggins@montgomerycountymd.gov .

Bylaws Beat

By Luella Mast, Bylaws Committee Chair

There are plenty of words that start with "B" -- finding one to make a title... not quite priceless. At our April meeting we will first approve the bylaw amendments introduced at our March meeting and printed in the March newsletter. We will have copies of those recommended changes as a handout at the meeting. Then, we will answer questions on the new, proposed amendments printed below. We will vote on these proposed changes, either as written or as amended, at our May meeting. As in previous presentations, words we propose to be deleted are shown with *[italics]*. Words we suggest adding are underlined.

Article VII. Duties of Elected Officials

4. District Vice President. The eight District Vice Presidents shall represent the Federation within their respective state legislative districts. District Vice Presidents need not reside in their district if no other candidate from that district is nominated. *[They shall endeavor to become familiar with all major residential areas, citizens groups, and areas of citizen concern within their Districts. They shall endeavor to ensure that the concerns of their districts are represented in Federation deliberations and positions, that member associations are advised of issues and potential positions affecting them, and that government officials are responsive to their member associations.]* They shall serve on the Membership Committee, participate in membership drives, publicize the Federation and its

activities and events, and encourage attendance at meetings and events.

Article VIII. Duties Of Appointed Officials

1. Historian. The Historian shall be responsible for maintaining the Archives of the Federation. *[He shall endeavor to attend all meetings and events of the Federation, to monitor all committee activities, and to identify all significant Federation positions, statements, and events.]* He shall ensure that documents reflecting the activities of the Federation, *[such as newsletters, minutes, testimony, awards, and the like, are obtained and]* are placed in the Archives. He shall also prepare a listing of all documents placed in the Archives. At the end of each Membership Year, he shall prepare for the Archives a brief summary of the year's operations, to include all significant Federation activities and positions.

4. Public Relations Officer. The Public Relations Officer shall *[maintain and update the Federation's website. He]* maintain rapport with the press and *[shall]* be responsible for *[receive, edit, and transmit news]* announcements and press releases to the media. *[to the general public when so directed by the Federation. He shall maintain an active, up-to-date file and a rapport with the press, members of the Federation, elected officials and others, in all matters dealing with Federation business. He shall promote, to the greatest extent possible, the goals and achievements of the Federation which shall be discussed with the Executive Committee from time-to-time as needs may dictate.]*

5. Database Manager. The Database Manager shall maintain the membership records, and prepare *[Delegate and member]* mailing labels and lists *[perform such other tasks as may be assigned by the Executive Committee].*

6. Webmaster. The Webmaster shall maintain and update the Federation's website.

7. Auditor. The Auditor shall audit the books annually and whenever a new Treasurer takes over that position. The Auditor shall submit a written report to the Executive Committee. *[Note: The duties of the Auditor listed here are currently found in Article XVI. Financial Management, Section 6. Annual Audit. No change has been made in the Auditor's duties.]*

Article IX. Duties Of Standing Committees

2. Education Committee. This committee focuses on *[shall monitor, evaluate, report, and make recommendations concerning]* the programming,

financing, and operation of public schools and colleges within Montgomery County.

3. Environment Committee. This committee focuses on [*shall monitor, evaluate, report, and make recommendations concerning actions,*] policies, and laws which will have an impact on the environment and natural resources.

4. Legislation Committee. This committee focuses on [*shall monitor, evaluate, report, and make recommendations concerning*] proposed local, state and federal legislation [*which would have an impact upon our Quality of Life and the integrity of our communities*]. Legislation affecting the assigned area of a Standing Committee shall be handled by that committee.

Change: Remove sentences that describe how an officer or committee chair should carry out their responsibilities and relocate them to Standing Rules.

Because: The bylaws should be confined to a description of responsibilities, not how responsibilities should be carried out.

Change: Separate the duties now the responsibility of only the public relations officer into duties of the public relations officer and the webmaster.

Because: These very different and distinct responsibilities which will often be better handled by separate individuals.

Change: Relocate the description of the auditor's responsibilities from Article XVI Financial Management to Article VIII under a new section 7.

Because: The auditor is appointed by the president and confirmed by the membership, as are the other appointed officials. The position and its duties are best referenced in the same section of the bylaws where the other appointed officials and their duties are found.

Editor's Note—Missing March Meeting Minutes

The minutes for the March 10th regular meeting have not materialized in time to make it into this issue of *The News*, and no one seems to remember who volunteered to take them. We hope that the person who took the last minutes will send them our way as soon as possible. They will go into the May edition.

Minutes of the March 19, 2008 Executive Committee Meeting By Sandy Vogelgesang, Acting Recording Secretary

MCCF Executive Committee met at Julius West Middle School in Rockville, MD.

Call to Order. MCCF President Wayne Goldstein called the meeting to order at 8:15 PM. Present: Wayne Goldstein, Arnold Gordon, Peggy Dennis, Dan Wilhelm, Luella Mast, Jim Humphrey, Lee Shipman, William Schrader, Chuck Lapinski, and Sandy Vogelgesang.

Minutes. Minutes of the February 20, 2008 Executive Committee meeting, printed in the Civic Federation News (March 2008), were approved unanimously.

Treasurer's Report. Treasurer Luella Mast distributed copies of the latest report for March 2008.

Environment Committee. Wayne Goldstein, President, spoke for Caren Madsen, Committee Chair. He reported on: Amendments to the Forest Conservation Law (work session set for June and Advisory Committee approved); Tree Ordinance; and the interest of the Glen Echo Heights Citizens' Association in the Neighborhood Conservation District Enabling legislation.

Education Committee. Wayne Goldstein, President, noted his recent articles in *The Sentinel* regarding John Q. Porter, former senior official in Montgomery County Public Schools (MCPS) and concerns about Montgomery College.

Public Safety Committee. Executive Committee members raised the following issues: problem with police action against "blocking the box" at intersections in County urban areas; planned reduction in County operating budget for Neighborhood Watch; need for more clinics to address shortage of emergency room facilities reported by Fire Chief Tom Carr at March 10 MCCF meeting; and proposed ambulance fee included in most recent budget submitted by County Executive.

Planning and Land Use (PLU) Committee. Jim Humphrey, Chair, led discussion of the following:

- Housing/Moderately Priced Dwelling Units. The County Council PHED Committee held a work session on the Office of Legislative

Oversight (OLO) report on MPDU implementation.

- **Alternative Review Committee.** Draft legislation submitted by the County Executive would use the Planning Board instead of the ARC. Legislation raises questions about adherence to Master Plan standards.
- Provision in Bill 36-07 would amend definition of "infrastructure improvement" in Chapter 14 of the County Code that currently excludes "any improvement which is the responsibility of a single developer under the Planning Board's site plan and adequate public facilities requirements." Jim reported that he had received courtesy response to letter sent in behalf of the Federation opposing the proposed amendment and making clear that developers should pay for infrastructure improvements as required by Planning Board approvals.
- **Zoning Text Amendment 08-01** - clarifying definition of green areas. The Federation supports the proposed ZTA.
- **Watson House.** Wayne noted status of historic designation for this Dutch Colonial Revival home built in 1915.

Legislation/Committee for Montgomery

(CFM). Dan Wilhelm, Chair, reported on the Governor's budget recommendations for school construction. It was agreed that Dan would send a letter on behalf of the Federation urging the Governor to allocate the earlier-promised \$50 million of State funds to Montgomery County. Dan also reported that CFM is selecting members for the next year and that he would be willing to serve another year.

Transportation Committee. Peggy Dennis, Member of the Transportation Committee, reported that work on the County's orphan roads program has come to a standstill and thus plans to send a letter, on behalf of the Federation, to the County Executive. She also asked for an update on the Sandy Spring Farm Road (judge has remanded case back for further review). Wayne noted that the Federation continues to monitor this situation and support the County Executive's effort to assure fair outcome.

Public Relations Committee. The Executive Committee agreed to include a reminder in the next Civic Federation News regarding the upcoming special primary for the District 4 County Council seat (Arnie Gordon to provide).

Public Finance and Utilities. Chuck Lapinski reported on planned speakers for the next Federation monthly meeting, which will focus on the County budget, and WSSC rate changes.

Awards Committee. Peggy Dennis, chair, presented nominations for consideration by the Executive Committee for the Star, Gazette, and Sentinel awards as well as special youth citation. The Executive Committee approved arrangements for the Annual Awards Banquet on May 9.

Bylaws Committee. Luella Mast, Committee Chair, reported on proposed revisions. The Executive Committee approved recommended changes unanimously and agreed that they would be introduced for general membership at April meeting and presented for vote in May.

Membership Committee. Peggy Dennis, Chair, and Luella Mast reported that membership is at record high.

Program Committee. The Committee confirmed topics for April (budget) and May (judicial system).

Newsletter Assignments: Peggy Dennis, Editor, noted assignments for the April 2008 Civic Federation News.

New/Old Business and Adjournment. In absence of new or old business, the meeting adjourned at 10:15 PM.

Reserve Your Tickets for the Montgomery County Civic Federation's

2008 ANNUAL AWARDS BANQUET

Friday, May 9

Cocktail Reception 6:00 to 7:00

Banquet Dinner & Awards 7:00 to 9:30 p.m.

New Fortune Restaurant

16515 S. Frederick Avenue, Gaithersburg

\$30 per person or \$50 per couple if reserved by Wednesday, May 7

\$35 per person or \$60 per couple after May 7 or at the door

\$10 per person for reception only, 6:00 to 7:00

Directions: New Fortune is in the Walnut Hill Shopping Center on Route 355, one block northwest of the intersection with Shady Grove Road & I-370.

Price includes wine and sodas at the reception. Cash bar.

Dinner Menu: Dumpling Appetizer, Soy Sauce Chicken, Beef Chow Foon, Chinese Broccoli with Oyster Sauce, Fried Tofu with Vegetables, Twice-cooked Pork, Singapore Noodles, Boiled Rice, Cantonese-style Steamed Fish, Orange Wedges

Please cut off and fill in this stub. Mail with a check payable to the Montgomery County Civic Federation to:

Ms Luella Mast, MCCF Treasurer, 809 Hobbs Drive, Colesville, MD 20904

I/We will attend the banquet _____

(Please print name(s) as you wish them to be on your name badge at the banquet)

Association or Organization (if applicable) _____

Contact information _____

(Telephone)

(Email)

You may reserve a table for ten. Please list those sitting at your table if you wish to do this.

Federation Meeting

Monday, April 14
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
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: County's 2009 Operating Budget
- 9:20 Resolutions & Bylaws Amendments
- 9:30 Committee Reports
- 9:45 Member Issues
- 9:50 Old Business
- 9:55 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, April 26.** Prepare submission as an MS Word, Word Perfect or text-only 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 20, 7:45 p.m.

Venue to be announced

651 Great Falls Road, Rockville



**Official Publication of the
Montgomery County Civic Federation**

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Address service requested