



Civic Federation News

October 2008

Serving the Public Interest since 1925

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County Civic Federation
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October Program: the Ballot Questions By Luella Mast

On Tuesday, November 4 we will be voting for the U.S. President; U.S. Representatives from Districts 4, 6 or 8; three seats on the seven member Montgomery County Board of Education, one at large and two from districts (all voters in Montgomery County vote for all members of the Board of Education, whether they are running at large or from a district); Circuit Court judges; and, four ballot questions. The Montgomery County League of Women Voters Citizens Education Fund prepares non-partisan, neutral explanations of the ballot questions to help voters decode and understand the minimal information on the ballot. Nancy Soreng from the League will be the speaker at our meeting on October 13 and will help us better understand the following ballot questions.

The statewide ballot questions are amendments to our state Constitution:

Question 1 - Constitutional Amendment

(Chapter 513, Acts of 2007)

Elective Franchise - Early Voting; Polling Places; Absentee Ballots

Authorizes the General Assembly to enact legislation to allow qualified voters to vote at polling places inside or outside of their election districts or wards and to vote up to two weeks before an election. This amendment also authorizes the General Assembly to enact legislation to allow absentee voting by qualified voters who choose to vote by absentee ballot, in addition to

voters who are absent at the time of the election or who are unable to vote personally. (Amends Article 1, Sections 1 and 3 of the Maryland Constitution)

Question 2 - Constitutional Amendment

(Chapter 5, Acts of 2007 Special Session)

Authorizing Video Lottery Terminals (Slot Machines) to Fund Education

Authorizes the State to issue up to five video lottery licenses for the primary purpose of raising revenue for education of children in public schools, prekindergarten through grade 12, public school construction and improvements, and construction of capital projects at community colleges and higher education institutions. No more than a total number of 15,000 video lottery terminals may be authorized in the State, and only one license may be issued for each specified location in Anne Arundel, Cecil, Worcester, and Allegany Counties, and Baltimore City,. Any additional forms or expansion of commercial gaming in Maryland is prohibited, unless approved by a voter referendum. (Enacts new Article XIX of the Maryland Constitution)

The Montgomery County ballot questions are amendments to our county Charter:

SUCCESSFUL PARTICIPATION IN THE REZONING GAME

Learn more about the procedures and law involved in the land rezoning process and how to develop a strategy for your successful participation in the process.

SATURDAY, OCTOBER 18, 2008 9-11:30 AM

COUNTY EXECUTIVE OFFICE BUILDING

101 Monroe Street, Rockville, First Floor Auditorium

SPEAKERS: Norman Knopf, Knopf & Brown
Jim Humphrey, MCCF Land Use Chair
Dick Kauffunger, MCCF Past President

PLEASE RSVP by email (frankauffunger@hotmail.com) or phone (301-871-1369).

There will be a small charge for handout materials and refreshments. Free parking will be on the first floor of the County Council Office Parking Garage.

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Question A

Charter Amendment by act of County Council

Repeal of Legally Ineffective Provisions

Repeal Sections 311A, 311B, and 313A of the County Charter, regarding use of County funds to operate a landfill system on residentially zoned land; burying or trenching sewage sludge on residentially zoned land; and telephone service offered by the C&P Telephone Company.

Question B

Charter Amendments by petition:

Property Tax Limit - Votes Needed to Override

Amend Section 3205 of the County Charter to require a unanimous vote of 9 Councilmembers, rather than the 7 out of 9 votes currently required, to levy a tax on real property that will produce revenue that exceeds the annual limit on property tax revenue set in that section.

President's Message by Arnie Gordon, President

Your Civic Federation has started the year off with an enthusiastic program. We have renewed our commitment to provide our members and their organizations with the knowledge and capabilities to service their constituents.

Seminar on Zoning

We are essentially offering a mini-course in the zoning process and how to successfully participate in it. One of the biggest threats to communities is the rezoning of land. Every civic association should have one or more members familiar with the process, knowledgeable enough to meet the challenges his community will inevitably face, and organize his community to effectively confront these challenges. Leading the seminar will be Norman Knopf, Esq., an attorney with deep experience in representing individuals and civic organizations in these types of disputes; Dick Kauffunger, past President of the MCCF, who has fought and litigated these battles, winning most against steep odds; and Jim Humphrey, MCCF Planning and Land Use Chair who is one of the county's most knowledgeable people on this subject. Please don't miss this opportunity to get a great education on this subject. See page 1 for time and venue.

Community Service Day

Reviving an old custom, County Executive Leggett has designated October 25th as Community Service Day and

all civic associations have been asked to participate by conducting or participating in an activity to better our communities. Whether it be a community cleanup or participation in some other civic or charitable cause, this would be a great time to do it. If you are planning such an activity, or want more information please contact me at nmcaprexy@aol.com (301-570-0481).

Committee Chairs Needed

Your Civic Fed needs you! We need Chairs and members for our Transportation and Public Safety Committees. These committees liaise with the county and other governments, report back news and developments of interest county-wide, and lead the effort to develop and publicize ways to improve life in our County. These are interesting assignments and will be exciting ways to serve all of us. Please step up and join in our effort to improve the Civic Fed's oversight and input in these areas. Just contact me (see above) and we'll get you involved.

Input Needed for Montgomery County Delegation Legislative Hearings

By Dan Wilhelm, Legislative Chairman

The Montgomery County Delegation will hold its annual legislative priorities hearing on Thursday, November 20 at 6 pm to obtain public comment on what they should focus on during the 2009 legislative session. The hearing will be held in the in 1st Floor Auditorium, Executive Office Bldg, 101 Monroe St, Rockville (not the Council Office Building which will be undergoing renovations). MCCF plans to testify and would like to hear from you as to what our testimony should cover. Please email Dan Wilhelm with your suggestions (dwilhelm@verizon.net, 301-384-2698).

Note that the annual Consolidated Transportation Program Presentation (Road Show) by SHA will be on November 13 beginning at 7 PM and will be at the same location as the "Priorities" hearing.

County Question B Position By Dan Wilhelm, Legislative Chairman

The October program will provide information about what each of the November ballot questions will cover and provide pros and cons for each. Following the program, I plan to introduce a motion that "MCCF opposes County Question B".

County Question B would amend the County Charter to "require a unanimous vote of 9 Councilmembers

rather than the 7 out of 9 votes currently required, to levy a tax on real property tax that will produce revenue that exceeds the annual limit on property tax revenue set" currently in Code Section 305. Approval of the question would give any one councilmember the power to block the will of the other 8 councilmembers, which is decidedly undemocratic and could result in really bad actions. If all 9 councilmembers couldn't be present or if there were a vacancy (as happened this year with the loss of Marilyn Praisner), then the limit couldn't be exceeded, even if all councilmembers present supported the increase.

2008 Election Reminders

By Jerry Garson

The 2008 Presidential Election is November 4, 2008. The deadline for voters to register is Oct. 14. If you are not yet registered to vote or you need to update or correct your registration, you can download a form from the State Board of Elections at <http://www.elections.state.md.us>. You must submit the form to the Montgomery County Board of Elections (MCBE) by mail or in person to reach the Board by Oct. 14, 9:00 p.m. In person deliveries should be made to the MCBE at 751 Twinbrook Parkway, Rockville, MD 20851

Absentee Voting - A voter who will be absent or unable to vote in person in the election may request an absentee ballot. The deadline for a voter to submit a request for an absentee ballot by mail or fax is Oct. 28, 2008. Absentee ballots are typically available for mailing approximately three weeks before an election.

Late Application for an Absentee Ballot - Beginning on Wednesday, Oct. 28, through 8:00 p.m. on election day, a registered voter or the voter's duly authorized agent may apply for an late absentee ballot in person at the local board of elections. You can either download a late absentee application from the State Board of Elections website or obtain one from your local board of elections. You or your duly authorized agent must hand deliver the completed application to your local board of elections. You or your agent will receive your absentee ballot once the completed application has been delivered.

Use of an Agent - You may designate someone to pick up the absentee ballot and deliver your voted absentee ballot. To designate someone to serve as your agent, you must complete the "Designation of Agent by Voter" section of the application.

All valid absentee ballots and all valid provisional ballots will be counted starting Thursday November 6 through November 16, 2008.

Environment Committee Report

By Caren Madsen, Committee Chair, and Diane Cameron

Once convened, the Montgomery County Forest Conservation Advisory Committee (FCAC) got right down to business. But the new advisory group appointed by the County Executive has had a rough start. Chaired by Anne Merwin, senior policy advisory for the Potomac Conservancy, the committee's first order of business was a request from Councilmember Nancy Floreen to review Bill No. 37-07. This bill is a set of amendments presented to the Council to strengthen the Forest Conservation Law (FCL), and provide an analysis to the Council regarding the differences between Maryland-National Capital Park and Planning Commission's version of the bill and a set of amendments introduced last fall by Councilmember Marc Elrich. Mr. Elrich's version of the bill takes things a step further toward strengthening the law, but his office has compromised on a few items such as the threshold set for triggering the FCL. Environmental advocates say the Elrich amendments are stronger than those in Bill 37-07 and would do more to slow the loss of our forest canopy.

FCAC meetings have been rife with contentious debates about the definition of a forest, whether sections of forest should be considered in their entirety beyond the boundaries of lot lines and what the appropriate thresholds should be for triggering the FCL. When the law was originally drafted and approved by the Council in the early 1990s, the business community lobbied against it heavily and succeeded in watering the law down.

"If citizens don't get involved and speak up on this issue, history is going to repeat itself in Montgomery County," said Ginny Barnes, who represents the West Montgomery County Citizens Association on the committee. "We've been disappointed to see developers insulting the Committee Chair and threatening to complain to the County Council if they don't get their way when they have clearly tried to undermine the very purpose of this committee. Those of us who take forest conservation seriously have wondered if our name should be changed to the 'Building Lot Conservation Committee' since that seems to be all important to the business community. Forest and tree preservation seems to rank quite low on the

list of priorities for too many members of this committee.”

The committee transmitted its report to the Council on Sept. 15th with votes tabulated to reflect the individual views of committee members on key provisions of the forestry amendments. The report and vote show a 50/50 division with members of the development community on one side and environmental and civic leaders on the other. The Council T&E Committee will hold a series of work sessions on the FCL legislation beginning on Sept. 20th. MCCF members are encouraged to show support for the Elrich amendments to Bill No. 37-07 by sending letters and e-mail to the Council President at Councilmember.Knapp@montgomerycountymd.gov. To review the full legislative package, go to <http://www.montgomerycountymd.gov/content/council/pdf/bill/2007/37-07.pdf>.

Draft Stormwater Permit

The [Maryland Department of the Environment](#) (MDE) released its official [Draft MS4 Permit](#) for Montgomery County on September 2. Overall, the permit is more enforceable and accountable than the previous permit, and contains requirements with deadlines for implementing the Trash Treaty and the Stormwater Management Act of 2007 - Environmental Site Design. Total Maximum Daily Load (TMDL) pollution limits (or “diets for dirty waters”) are also included in the draft with required plan elements, with one big gap: no deadlines for attaining the TMDL pollution limits (Wasteload Allocations) are included, nor are requirements that Montgomery County set its own TMDL compliance deadlines. The Stormwater Partners will request a public hearing on this draft permit to highlight these needs and to underscore public support for the legal and funding upgrades that the County needs to make to protect and restore our watersheds. Please visit our website, www.stormwaterpartners.org, and plan to attend and speak at the hearing when it's set.

Members of the Stormwater Partners Network including the [Chesapeake Bay Foundation](#), [Audubon Naturalist Society](#), [Anacostia Watershed Society](#), and [Natural Resources Defense Council](#) are essentially pleased with the progress MDE has made in writing a more effective permit which incorporates the Potomac River Trash Treaty by reference, incorporates TMDLs by reference and requires implementation plans for each TMDL and each water body with specific requirements to attain water quality standards and Waste Load allocations.

“The one big thing still missing is actual requirements for Montgomery County to establish its own final

deadlines for reaching TMDL pollution limits,” said Diane Cameron of the Audubon Naturalist Society, who has headed the Stormwater Partners Coalition for the past three years. “This draft permit does not answer the question: When must Montgomery County attain the TMDL pollution limits for each waterbody?”

Our county needs actual cleanup deadlines that answer this “when” question.” Another clarification still needed in this permit is the status of Montgomery County Public Schools -- for the first time they are named in the draft permit, but the language must clarify that MCPS is a separate co-permittee with specific duties -- with 3,500 acres comprising 1% of the County's acreage, our school system contributes a great deal of stormwater pollution to our streams and has an environmental and educational opportunity to help restore our waters in an accountable way.

Citizens are urged to comment on the draft Montgomery County Stormwater Permit to MDE, via brief emails conveying the following points:

- 1) We thank MDE for drafting a permit that will result in better protection of our waters, and especially:
 - a) requirements for cleaning up polluted waters, and
 - b) requirements for the County to make sweeping Environmental Site Design code changes;
- 2) We request that MDE strengthen the permit by
 - a) requiring deadlines for meeting cleanup objectives for polluted waters, and
 - b) clarify that MCPS is a co-permittee with specific duties including sustainable landscaping protocols for all schools, and low-impact stormwater measures for all new & redeveloped schools.

Citizens should send comments by Oct. 17 via e-mail to Mr. Jay Sakai, Director of the Water Management Administration of the Maryland Department of the Environment: Jay Sakai <jsakai@mde.state.md.us>. Please cc your e-mails to County Executive Leggett -- Ike.Leggett@montgomerycountymd.gov, DEP Director Hoyt -- Bob.Hoyt@montgomerycountymd.gov, and Council President Knapp -- councilmember.knapp@montgomerycountymd.gov.

For more information, contact Diane Cameron, Coordinator of the Montgomery County Stormwater Partners and Conservation Director of the Audubon Naturalist Society, at (301) 652-9188 X 22 ; dcameron@audubonnaturalist.org

Revised Road Code Features “Green Streets”

The Stormwater Partners' representative to the County's Road Code Stakeholder committee, Anne Merwin, Senior Policy Director for the Potomac Conservancy, did a stellar job in negotiating for the best package of stormwater requirements possible. The result: in July a consensus from the committee was reached in favor of minimum mandatory stormwater volumes to be managed in the right-of-way for urban, suburban, and rural road projects, preferably through Vegetated Integrated Management Practices (Low Impact Development techniques like linear bio-retention, expanded tree panels, and bio-swales.) Although the minimum stormwater volumes (the first quarter-inch of each storm to be managed via these green techniques for urban and suburban roads, and the first 0.6' for rural roads) are considerably lower than the Partners had proposed and the Council had endorsed in its legislation in 2007, this is a good start on an important new stormwater regulation that can be expanded in the future. This is also the first such mandate for 'Green Streets' code changes that we know of anywhere in the country. The Partners have also worked for commitments for ongoing review of research on our own and other jurisdictions' Green Streets facilities, and a regular revisiting of the standards in light of recent research. The group reached consensus in favor of "open section roads with bioswales" being the new 'typical' method for rural road design. Assuming this package is accepted by the Executive and Council, this represents a shift from the curb-and-gutter road design norm, and a move toward viewing rainwater as a resource, not a waste product. It also represents a critical protection for our remaining high biological quality rural streams in and around the Ag Reserve. For more information on the Road Code stormwater standards: merwin@potomac.org

Apart from its stormwater mission, the Road Code Stakeholder Committee was primarily tasked with making our streets and roads more friendly to all users, including pedestrians, bicyclists, transit users, and the disabled, and its record on this front is decidedly mixed. The recommended target speeds and other pedestrian-related aspects of the Road Code consensus package were criticized in September by the Planning Board and staff, and pedestrian and Smart Growth advocates Cheryl Cort for the Coalition for Smarter Growth, and Dolores Milmoie of the Audubon Naturalist Society (among others) as a disappointment, because they could leave pedestrians vulnerable to serious and potentially fatal accidents at street crossings for specific categories of roads. The Planning Board voted 5-0 on September 18 to support the staff proposal to lower target design speeds for the sake of pedestrian safety.

www.montgomeryplanningboard.org/agenda/2008/docu

[ments/20080918_road_code-staff_report.pdf](#) . For more information on the Road Code revisions' pedestrian impacts, contact Cheryl Cort at the Coalition for Smarter Growth: cheryl@smartergrowth.net .

Falklands Still Threatened By the Wrecking Ball

The Montgomery Planning Board voted in December of 2007 that the entire Falklands-Chase Apartment site located at the intersection of I6th Street and East-West Highway in Silver Spring merited historic designation because of its connection to the New Deal and garden-city style design. This September however, a reversal of that opinion resulted in a 4-0 vote to support a staff report recommendation that the north parcel of the Falklands be demolished to make way for a luxury high-rise apartment complex. Planning Board Chairman Royce Hanson and member Joe Alfandre contended that the practitioners of the Garden City movement had anticipated redevelopment of their sites in order to accommodate the needs of the day. Members of the environmental and civic community have argued that pressure from attorneys for the developers, Home Properties, had an influence on the vote. Chairman Hanson noted that developing the north parcel would avoid a lengthy legal battle. Board members claim they will insist the developer redevelop the site along Garden City principles but were unspecific about how this will be achieved. The Planning Board session was intended to weigh historic/architectural merits against other 'public interest' considerations such as adding moderate price housing, and density near metro stops. However, there was no mention of the 182 households which will be displaced if the north parcel is redeveloped, nor mention of environmental sustainability. The issue moves next to the County Council for a final vote. For the full article published in the Washington Post, please visit: <http://www.washingtonpost.com/wp-dyn/content/article/2008/09/04/AR2008090404235.html> and find the Gazette coverage at: http://www.gazette.net/stories/09092008/silvnew191546_32515.shtml

Membership Renewals

By Sandy Vogelgesang, Membership Chairman

The MCCF Membership year began July 1. The following list shows those organizations and individuals who have paid their dues for 2008-2009. If dues have not been paid by the end of December, your group will be dropped from our distribution lists, which means you will not receive the newsletter. If you believe you

have paid and your group (name) is not listed below, please contact Dan Wilhelm at 301-384-2698 or djwilhelm@verizon.net.

Groups that have paid their membership dues for FY08-09

Action Committee for Transit
 Allanwood-Gayfields-Willson Hills-Gaywood Estates (AGWG) Civic Association, Inc.
 Chevy Chase West Neighborhood Association
 Citizens Coordinating Committee on Friendship Heights
 Congressional Forest Community Association
 Deerfield Weathered Oak Citizens Association
 Flemming Park Community Assn
 Greater Colesville Citizens Association, Inc.
 Grosvenor Park Condominium Citizens Association, Inc.
 Hillmead Citizens Association
 Kensington Heights Citizens Association
 Kentlands Citizens' Assembly
 Layhill South Citizens Association
 Layhill View Section Two Homeowners Assn
 Maplewood Citizens Association, Inc.
 Montgomery County Taxpayers League
 Norbeck Meadows Civic Association
 Northwood-Four Corners Civic Association
 Potomac Towne Homeowners Association
 Regency Estates Citizens Association
 Riverhill HOA
 Rock Creek Palisades Citizens Association
 Seven Oaks-Evanswood Citizens Association
 Snowdens Mill Homeowners Assoc
 Strathmore-Bel Pre Civic Association
 Town of Somerset
 Villages of Bethesda
 West Bradley Citizens Association
 West Montgomery County Citizens Association
 Wheaton Regional Park Neighborhood Association
 Wildwood Manor Citizens Association

Individuals who have paid their membership dues for FY09-10:

Donna Barron
 Derick Berlage
 Marie De Maria
 Cynthia Fain
 Timothy J French
 Julie Greenberg
 Norman Knopf
 Caren & Eric Madsen
 Robert E. Redding
 Helen A. "Andy" Reed
 Agnes Jones Trower
 Stan Schiff
 S.J. Weiss

Notes from the Community Forum on Crime

by Mary Kiraly

I took these notes at the September 16 Forum on Crime held in response to the recent series of "home invasions" and burglaries on the western side of the county in the MacArthur Boulevard/River Road corridor, the most recent of which ended with the death of a neighbor. Please share this information with your neighbors.

- Reach out to your neighbors. Senior citizens, especially the elderly living alone, appear to be targeted. If your community does not yet have a Neighborhood Watch program, call the Community Outreach Office of the Montgomery County Police at 301-840-2585 to learn how to create one.
- Notice what is happening in your neighborhood. Instead of driving directly into your driveway, swing through the neighborhood and pay attention to people or things that seem out of place.
- Call the police if you notice something unusual at a neighbor's home, such as a garage door left open. Call your neighbor. But do not attempt to investigate on your own.
- Notify neighbors if you plan to be away. If your car is normally parked in the driveway, see if a neighbor would be willing to park a car there. Be sure that newspapers are picked up and mail held at the Post Office or taken inside.
- To protect yourself and your neighbors, be responsible for knowing who the workmen are who are hired to do work around your home or in your yard.
- Protecting Ourselves: Do not enter your house if something has changed since you left. Call the police. Keep the garage door closed, even when you are working in the yard. Keep the door between the garage and the house locked. Remove the garage door opener from the car at night.
- Place motion detector lights on back and side doors. Lock up ladders and tools. Keep all windows and doors closed and locked, including 2nd story windows. Do not give workmen a key to your house.
- Cars are a primary target for burglars. Do not leave cell phones, computers, credit cards,

purses, knapsacks, briefcases, in cars, especially overnight. GPS devices are also a target for thieves. Do not leave the GPS in the car. Use a micromesh fiber cloth to remove the circular residue that the GPS mounting device leaves on the car window. Seeing this residue encourages a thief to think that the GPS is somewhere in the car.

The Rapid Deployment Team phone number is 240-773-5070 if you have information or suggestions to report.

Website for information on crimes in the county: www.montgomerycountymd.gov/police or www.crimereports.com (type in a location in Montgomery County).

The first Wednesday of every Month (October 1), at Westfield Montgomery Mall movie theater, 9:30 a.m., there will be a free movie for seniors. Police officers are present to offer safety tips and answer questions after the film.

October 6, from 3:00-6:00, in the downstairs community room at Davis Library on Democracy Blvd, there will be a Discussion of Safety Tips for Seniors- but all are welcome.

Reminders about Seasonal Storms

Severe storms at this time of year often cause tree damage. To report trees or branches down on Montgomery County property including roads, call the DOT Division of Operations at 240-777-6000. To report trees that have fallen on utility lines, contact your local utility company. "Hot" wires or sparking wires – especially those across roads – may be reported by calling 911. Trees that have fallen on private property are the responsibility of the property owner regardless of whose property the tree was growing on. The county's Division of Consumer Affairs advises homeowners to deal with established tree removal businesses only, and to call Consumer Affairs at 240-777-3636 to check on a business complaint record before hiring any service company.

Minutes of the Regular Monthly Meeting – September 8, 2008 By Peggy Dennis, Acting Recording Secretary

The September Regular Meeting was called to order by President Arnie Gordon at 7:49 PM. Introductions were made all around.

Announcements: Peggy Dennis noted that the Woman's Suburban Democratic Club will host a forum on the "slots"

ballot initiative on Wednesday evening - the best opportunity to hear this issue debated in depth. Jim Humphrey reminded members that the *Sentinel* newspaper provides our members a weekly opportunity to write on issues of concern. Jerry Garson noted the deadline to apply for absentee ballots and the continuing need for volunteer elections judges, especially Republicans and independents. Dick Kauffunger and Arnie Gordon are organizing a forum on "How to Win the Zoning Game" with Norman Knopf, Jim Humphrey and Dick as faculty, on October 18.

Agenda was approved with the addition of an emergency resolution for the Maryland Election Integrity Coalition regarding voting machines with more than 5 delegates seconding its addition.

Minutes of the June 9 Regular Meeting were approved unanimously.

Program: Mike Faden, Senior Legislative Attorney with the County Council; Joe Adler, Director of the County's Office of Human Relations; and Sarah Miller, the county's lead labor negotiator presented an informative program on the process in which contracts are negotiated between the unions representing various county employees and the Executive, then vetted and approved (or not) by the Council.

Community Hero: Dick Kauffunger remembered former Councilmember and County Executive Neal Potter who passed away on May 27th. Dick recollected how Neal was "always asking the deep, good questions" and challenging conventional thinking on how fast the county should grow (more slowly) and how it should change for the better.

Resolution on Ambulance Fees: President Gordon turned the gavel over to Peggy Dennis who chaired the meeting through a spirited discussion of the following resolution: "Resolved, that previous resolutions of the MCCF notwithstanding, the MCCF supports the imposition of ambulance fees in accord with the County Executive's present proposals." Arnie Gordon spoke in support of the new fee and Jim Humphrey spoke in opposition. Q & A followed with discussion. The membership voted YEAs 10, NAYs 17, Abstentions 0 with the resolution failing.

Committee Reports:

Treasurer: Bill Schrader had the treasurer's report for August available on the table and asked that delegates make sure their organizations have renewed membership for the new year. A motion was made to approve the budget, as published in the September News, seconded, and passed unanimously.

Planning & Land Use: "Planning & Land Use: Jim Humphrey reported the 4 Bethesda Metro project that MCCF opposed was not approved by Planning Board. The demolition process for the house in the area added to Hillmead Neighborhood Park has begun. Council approved ZTA 08-13, changes to C-2 commercial zone to facilitate project on Ourisman Ford site near Montgomery Mall, which MCCF had opposed. The committee's Housing Affordability Report is posted on the MCCF website now, and the

November program will be on the issue. MNCPPC has released brochure on "How to Effectively Participate in Development Review Applications" and has posted the Board's Rules of Procedure and the new Development Approval Manual on their website. All associations should call the Office of Community Relations at Park & Planning (301-495-4603) to register your current contact information. Amendments to the Forest Conservation Law are still being discussed in Council committee. The Zoning Code Rewrite project is underway with public comment sessions at MNCPPC on September 13, 15 and 16."

Education Committee: Wayne Goldstein thanked the Parents' Coalition for their work to abolish or scale back various curriculum fees. Delegate Kumar Barve plans to introduce legislation to make such fees definitively illegal. MCPS "purchasing cards" are being used for travel - a questionable expense. The *Washington Post* wrote a tough article on the newly released SAT scores for the county which echoed many of the concerns in Mr. Goldstein's columns in the Sentinel.

Historic Preservation: Wayne Goldstein reported that after 4 hearings on the Falkland Apartments, the Planning Commission voted to recommend only 2 of the three complexes for historic designation. This may allow demolition and redevelopment of the third complex depending now on Council action.

Public Utilities: Chuck Lapinski reported BG&E is providing a one-time rebate on electric bills. Power distribution lines are a continuing issue.

Emergency Resolution: Mary Kiraly introduced the following resolution: "That the MCCF support the Maryland Election Integrity Coalition in requesting legislative oversight of any corrective measure that Premier Election Solutions (formerly Diebold Election Systems) takes to address the logic error in the voting system." The resolution was discussed briefly and approved: YEAs 15, NAYs 0, Abstentions 3. The resolution was passed. Note: Jerry Garson took no part in the vote.

Motion to Adjourn was offered and passed unanimously at 9:58 p.m..

Minutes of The September 17 Executive Committee Meeting By Luella Mast, Recording Secretary

Attendance: President Gordon called the meeting to order at 7:45 pm at Ms. Vogelgesang's home. Attendance: President Arnie Gordon, Carole Ann Barth, Peggy Dennis, Wayne Goldstein, Jim Humphrey, Luella Mast, George Sauer, Bill Schrader, Virginia Sheard, Lee Shipman, Sandy Vogelgesang, Marvin Weinman, Dan Wilhelm, Charles Wolff.

Call to Order, Secretary and Treasurer's Reports. Mr. Schrader moved approval of the July 16 and August 20 Executive Committee meeting minutes. Seconded and passed on voice vote. Mr. Schrader presented the mid-

September treasurer's report. Highway M-83 was added to the agenda.

President's Report. Seminar Series: Mr. Gordon reported for Mr. Kauffunger. The first seminar will be held Saturday, October 18, 9-11:30 am in the Executive Office Building lobby level auditorium. The County Executive's office has arranged for free use of the room. The topic will be zoning. Mr. Norman Knopf and Mr. Humphrey are confirmed as panelists with 1 or 2 more individuals expected. The Public Safety Committee chair is open. Members are asked to contact their local association for help filling the position.

The Charter Review Commission will hold a public hearing on Monday, October 6, 7:30 - 9:30 pm in the 7th floor hearing room, Werner Council Office Building. Mr. Gordon will testify on: (1) should the appointment process for the Inspector General be changed? If changed, nomination would be by the County Executive with approval by the Council. MCCF position is opposed. The Inspector General's office needs to be completely separate from the County Executive's office. (2) Should increases in property taxes paid in special tax districts now under discussion by the Planning Board to refund County pre-funded infrastructure improvements in those districts be subject to the super majority requirements (7 of 9 Council members) for raising property taxes above Charter imposed limits? It is expected that these special tax districts will continue to increase as the County pre-funds infrastructure in more development districts. MCCF position is to support. In addition to these two topics upon which testimony has been requested, MCCF will also testify in support of our position for an increase in the number of Council members elected by district which serves to decrease the size of individual Councilmanic districts. Mr. Humphrey and Mr. Goldstein will help Mr. Gordon prepare the testimony which Mr. Gordon will give. Community Service Day will be Saturday, October 25. The county government would like the support of local associations in projects with civic benefit. Mr. Gordon will write an article for the newsletter.

1st Vice President's Report – Programs. October program: Ms. Nancy Soreng from the Montgomery County League of Women Voters Education Fund will provide non-partisan information on all four ballot questions. Ms. Mast will coordinate. The program will be timed for 1-1/4 hours. State Question 2 ("slots") has been fully discussed in many forms already, so should not require further discussion. Mr. Robin Ficker has asked for time to address the federation in support Question B (Ficker Amendment). Perhaps this can be handled with a pro/con debate.

November program: Housing affordability led by Mr. Humphrey with panelists from Park and Planning and will include a vote on recommendations in the MCCF Affordable Housing report.

December program: State legislative issues in the 2009 Legislative Session. Mr. Wilhelm and Ms. Dennis will coordinate.

January program: Mr. Lapinski has agreed to plan on a program updating us on WSSC [Washington Suburban

Sanitary Commission] for the January meeting. Another possible topic: aging in place, visit-ability, or neighbors helping neighbors programs. The program would help older residents remain in their homes. However, the laudable program goals can also be used to circumvent existing limits on lot coverage by structures or other impervious surfaces. For instance, a builder may push to increase lot coverage with the excuse that bedrooms must be located on the ground floor so that the residents do not have to climb stairs all under the rubric of allowing the owners to "age in place." The County Executive has formed a task force to look at aging in place.

Winter/Spring programs: Residents in the Northwood-Four Corners Civic Association area have formed a solar collective collaborative with the purpose of reducing the costs for purchase of individual residential solar collectors. There are currently incentives for changing to solar energy at all governmental levels, though the state and federal programs are due to sunset. We could also have a program following up on our judicial program.

State Legislation

Montgomery County Delegation Legislative Hearings: The priorities' hearing is Thursday, November 20 at 6 pm; bi-county bills hearing, Monday, December 8 at 7 pm; and, the hearing on local bills, Wednesday, December 10 at 7 pm. The priorities hearing will be held in the Executive Office Building first floor auditorium. Mr. Wilhelm will write an article for the newsletter asking for input. Mr. Gordon will testify.

2nd Vice President's Report Ms. Vogelgesang reported we have 29 association members, 3 regional members, and 12 individual members.

Historic Preservation Mr. Goldstein reported that the Historic Preservation program is in trouble. Members of the Planning Board have ignored recommendations with regard to the Faulkland Apartments just as they ignored The Historic Preservation Commission's recommendations with regard to the Comsat Corporation building.

Planning and Land Use Several members of the Executive Committee, Mr. Gordon, Mr. Humphrey, Mr. Goldstein, Mr. Wilhelm and Ms. Sheard, each attended one of Park and Planning's three workshops seeking comment on a comprehensive re-write of the Montgomery County Zoning Ordinance. Park and Planning staff is scheduled to report on the workshops at the end of October. The project is expected to finish sometime in 2011. Each meeting covered 12 base questions. We need to restate the purpose of the code and explain what it is designed to do. Also discussed was "form-based" zoning which is really applicable in only small areas in the county, though there was discussion about implementation county-wide, or at the very least in much broader areas than is feasible.

Mr. Humphrey reported that Park and Planning is currently focusing on four master plans: Twinbrook is under review by the County Council's Planning, Housing, and Economic Development Committee; Germantown; White Flint with several unresolved issues; and, Gaithersburg West which

covers all property west of the M-83 right-of-way. Included in Gaithersburg West is the Bellwood Farm property, willed to Johns Hopkins University on the condition the property not be used for housing. JHU now wants to use the property for housing. Development in West Gaithersburg is predicated on finishing the CCT [Corridor Cities Transitway]. White Flint infrastructure development issues relate to the coupling of the development tax assessment districts with the question whether property tax limitations set by the Charter limit can be overridden (see Charter Review Commission question 2).

The Planning Board is implementing PAMR [Policy Area Mobility Review] traffic mitigation in a way that may not reflect the Council's intentions. There are two ways to calculate it: the one approved by the Planning Board that requires less from developers; and the way recommended by the MCCF Planning and Land Use Committee. Councilmember Berliner has asked the Planning Board about these differences.

Compatibility and adherence to the master plan are key issues in flexible zones such as Planned Development [PD] and Transit Station [TS]. An opinion from the Hearing Examiner reflecting this position is important in Council rezoning cases. Mr. Humphrey testified before the Council on September 16 on workforce housing. We have agreement with our testimony from five members of the Council that additional height and density for workforce housing be specified as only for sites requiring it. Mr. Humphrey also testified on a limited amendment to the Wheaton Sector Plan.

Purple Line: There is still money to go forward with planning for the Purple Line. The MTA's [Maryland Mass Transit Administration] DEIS [Draft Environmental Impact Statement] is due at the end of this month. Hearings will be held on Monday October 13 on the alternatives analysis. There will then be a 90 day open comment period which moves the MTA time line into 2009. Meanwhile, the Planning Board has scheduled a hearing for November 20 on their staff report which will be available on November 6. Their time line sends their report to the Council on December 2 with a final Council decision on the route in late December. The Executive Committee agreed with Mr. Humphrey's recommendation that a letter be sent to the Governor and MTA outlining the conflicts in the DEIS process.

Public Finance Mr. Weinman provided: (1) a chart of the total number of full and part time employees for the four tax funded county governmental entities; (2) MCPS [Montgomery County Public Schools] teachers' FY08 salary schedule; (3) a list of the factors that must be considered as spelled out in the county code when arbitrating between the county government and county unions. 22.8% of MCPS teachers receive \$90,000 or more for ten months employment. When employee bargaining begins the union's proposed MCPS salary schedules are the first presented. These proposed salary schedules are then used by the other county employee unions to argue for equally generous pay increases. Mr. Weinman reviewed comments from the September program. One of the key issues in employee salary negotiations is the Board of Education. MCCF might consider

asking candidates for the BoE to provide us with copies of their responses to candidate questionnaires from other organizations though candidates are not required to share this information.

Parks Sligo Creek Golf Course: Ms. Barth provided copies of the revised draft of the report to the Board of Directors of the Montgomery County Revenue Authority from the Sligo Creek Stakeholder Advisory Group and the community's perspective on proposed radical changes to the Golf Course layout and function. The Advisory Group and the community are both opposed to a mega driving range.

Public Safety Home invasion robberies have received much publicity. Neighborhood Watch, although in line for a funding cut in the FY09 budget, was restored.

Education Mr. Goldstein finished a two-part series of articles on the drop in MCPS's SAT scores in the Sentinel. It is the biggest drop in over a decade. He has joined the Parents Coalition list-serve. The next Sentinel column is tentatively titled: "Master Planning for Failure."

Transportation Ms. Dennis reported that comments on the draft road code amendments which can be found on the Planning Board website should reach the Council by September 30. The plan for extra wide roads in the CBD [Central Business District] goes counter to the County Executive's push for increased emphasis on pedestrian safety. The county's Department of Transportation has developed standards including new ones for "green streets." The Council also has default standards.

M-83: Mr. Wilhelm does not believe MCCF has a position on the M-83. We deferred a decision on it with the intent to study it at a later time. Montgomery Village is opposed. The reason for opposition includes the environmental loss of wetlands impossible to adequately replace. Residents in Clarksburg support M-83 as promised to support the development of Clarksburg and mobility for the residents there.

Public Relations - Website: Our website requires more time than is available through volunteers. Mr. Wilhelm moved, seconded by Ms. Sheard, that MCCF hire a web master. Passed on voice vote. Several Executive Committee members agreed to contact individuals they know to find out who might be interested and at what compensation.

Legislation Mr. Wilhelm reminded the Executive Committee that the Legislative Committee looks at state legislation in conjunction with the Committee for Montgomery (CfM). CfM has met to develop priorities for the next legislative session. Critical issues include the state budget shortfall. The CfM will have its annual breakfast December 8 with Senate President Mike Miller as speaker. Mr. Wilhelm urged all to attend.

Old Business: The Executive Committee agreed that Mr. Wilhelm's term as our representative on the Committee for Montgomery will go through June 2009.

New Business: Mr. Wilhelm recommends that MCCF join the Committee for Montgomery and several other organizations opposing Ballot Question B (Ficker

Amendment). He will present a resolution of opposition at the October regular meeting.

Community Hero(s)

Ms. Beverly Sobel and members of the Plyers Mill Citizens Association have diligently supported their neighborhood's efforts to keep the site of the closed Maryland College of Art and Design site on the west side of Georgia Avenue as open space. The Executive Committee agreed the community should be recognized as Community Hero(s). Mr. Goldstein will write an article for the newsletter.

October newsletter : Ms. Dennis reviewed newsletter assignments.

Adjourn: The motion to adjourn was made and passed at 10:10 PM. The October meeting will be at Mr. Wilhelm's.

Submitting an Article for the MCCF Newsletter

By Bob Dennis, Newsletter Formatter

It will make my job of formatting the newsletter easier and quicker if you follow a few rules.

Ornamentation. Please don't use font sizes, font styles, bold, capital letters or exclamation points to make your arguments. Generally, we're going to take them out. Keep your text to "Normal" format (i.e. don't change anything). Exceptions are for such things as forms and bylaws revisions, where font changes increase clarity.

Subheads. If you need one level of subheads, they should be bolded running heads flush left, in the same font size as the text. If you need two levels of subheads (very unusual), just choose a format that makes clear what you want and we'll reformat it if necessary.

Paragraphs. Do not indent the first line. Microsoft Word experts: Set the spacing after a paragraph at 6 points, and don't use a line space. Everyone else: separate paragraphs by blank lines.

Bullets. Please use small round dots and set the tab at about 3 spaces from the margin. (Larger, fancier bullets take up too much space and look unbalanced with a small font size and 2-column format.) Also, if you can, set the paragraph spacing at 0 for the bullets (only relevant for Microsoft Word experts).

Tables. Please do not use the space bar to align columns in tables. Tables are best done in Excel or using tabs in your word processor. If we need a workshop in how to use Excel, perhaps this can be done.

Thanks very much.

MONTGOMERY COUNTY CIVIC FEDERATION
Serving the County since 1925
MEMBERSHIP APPLICATION OR RENEWAL

July 1, 2008 through June 30, 2009

Mail to: William Schrader (Treasurer) Inquiries: Sandy Vogelgesang (2nd VP/Membership)
 12824 Middlevale Lane, Silver Spring, 9009 Charred Oak Dr, Bethesda, MD
 MD 20906 20817
 301-946-6545 301-365-2347;
 schraderw@erols.com everest.associates@erols.com

Name of Organization/Individual _____ Date _____

Number of Households (Approx) _____ Annual Dues (see below) \$ _____
 (Make checks payable to **Montgomery County Civic Federation**)

Membership Type	Number of Households	PLEASE CHECK	DUES	Max Number of Reps.	Voting Privileges
Local Association (civic, community, homeowner or municipality. Must represent at least 30 households - not paid members. Cannot be a single local issue group.)	10 to 50		\$25*	1	Yes
	51 to 300		\$45*	2	
	301 to 600		\$65*	3	
	601+		\$85*	4	
Umbrella Association (Two or more local associations. Cannot be single local issue group.)	60 to 500		\$45*	2	Yes
	501 to 1000		\$65*	3	
	1001+		\$85*	4	
Regional or County-Wide Organization (environmental, transportation, or other civic/community).	50+ memberships, not households		\$45*	2	Yes
Individual Associate	(not applicable)		\$20*	1	No
Associate Group (Gov't agency, business, or other organization)	(not applicable)		\$85*	2	No

***A \$5 discount may be taken for each person who elects to receive the newsletter via email – please check email box below.** You can also select less than the allowed number of members and pay according to that number. Please provide all the information below no matter the newsletter delivery method. We are planning to produce a membership directory. Please identify whether you want your email address included.

1.	Name (President+)		Phone (H/W)	
	Street		E-mail Address	<input type="checkbox"/>
	City, State, Zip		Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
2.	Name		Phone (H/W)	
	Street		E-mail Address	<input type="checkbox"/>
	City, State, Zip		Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
3.	Name		Phone (H/W)	
	Street		E-mail Address	<input type="checkbox"/>
	City, State, Zip		Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	
4.	Name		Phone (H/W)	
	Street		E-mail Address	<input type="checkbox"/>
	City, State, Zip		Put email address in directory: Yes <input type="checkbox"/> No <input type="checkbox"/>	

+President of applying organization or permanent substitute designated by the president.

Federation Meeting

Monday, October 13 2008
7:45 1st Floor Auditorium
County Council Office Building.
100 Maryland Avenue
Rockville, MD

Agenda:

- 7:45 Call to Order
- 7:46 Introductions and Announcements
- 7:50 Adoption of Meeting Agenda
- 7:55-Treasurer's Report
- 8:00 Program: Coming Election's Ballot Questions
- 9:15 Resolution on Ballot Question B
- 9:35 Committee Reports
- 9:50 Old Business
- 9:55 New Business
- 10:00 Adjournment

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, October 25.** Prepare submission as an MS Word, Word Perfect or text-only document, **attach** it to an 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, October 22, 7:45 p.m.

At the home of Dan Wilhelm

904 Cannon Road
Silver Spring 20904



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

First Class Mail

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Address service requested